

Official Journal

of the European Communities

ISSN 0378-6978

L 322

Volume 37

15 December 1994

English edition

Legislation

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I Acts whose publication is obligatory

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Note to our Swedish and Finnish readers (see inside back cover)

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 3036/94

of 8 December 1994

establishing economic outward processing arrangements applicable to certain textiles and clothing products reimported into the Community after working or processing in certain third countries

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the import arrangements in the Community for the textile and clothing sectors as regards certain third countries contain specific measures applicable to products resulting from outward processing operations;

Whereas Regulation (EEC) No 636/82⁽¹⁾ created economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries;

Whereas the policy followed by the Community is intended in particular to enable the textile and clothing industry to adapt to the conditions of international competition; whereas these new outward processing arrangements must fit in with efforts to increase the competitiveness of Community industry and must therefore not only be reserved for that industry but also be granted only to undertakings which make, in the Community, products at the same stage of manufacture as those which are intended to be reimported after outward processing, without prejudice, however, to the rights of persons who do not fulfil the conditions of this Regulation to whom derogations may be granted up to the total quantities imported under specific arrangements during one of the two years preceding the entry into force of this Regulation, for products which are not different in character and use;

Whereas the creation of the Internal Market in 1993 entails an area without frontiers in which, in particular, the free movement of goods will be ensured; whereas this entails, *inter alia*, the abolition of controls at internal frontiers and the elimination of disparities as regards import arrangements, as well as the option of reimporting compensating products into a Member State other than that in which the prior authorization was granted;

Whereas trade in textile and clothing products should be in line with the functioning of the said Internal Market, in particular as regards the application of the economic outward processing arrangements for textiles;

Whereas the earlier regional outward processing quotas have been replaced as from 1 January 1993 by a system of Community quotas not allocated between Member States;

Whereas the competent authorities of Member States should continue to issue prior authorizations to applicants wanting to make use of outward processing, but, in doing so, should communicate to the Commission the quantities requested, in order to verify whether those quantities are available within the total limits established at Community level;

Whereas quantities should be allocated by maximum tranches and the applications for a new tranche should be possible only when the previously allocated tranche has been utilized by at least 50 %;

Whereas the criteria and conditions which Member State operators must observe in order to qualify under these arrangements are not at present applied uniformly throughout the Community;

Whereas, therefore, the rules for implementation of these criteria and conditions have to be harmonized in order to allow access to outward processing under conditions common to the whole Community, especially in respect of the definition of 'beneficiary', of the term 'similar

⁽¹⁾ OJ No L 76, 20. 3. 1982, p. 1. Regulation as amended by the Act of Accession of Spain and Portugal.

products', the priority for manufacturers maintaining an important production within the Community and the derogation from the rules concerning the origin of the product exported for outward processing ;

Whereas the allocation of product quantities to each applicant should take account not only of the quantities available under the import arrangements established with regard to the particular product and third country concerned, but also of the bona fide status of the beneficiary as manufacturer and the efforts of the manufacturer to maintain production and employment within the Community of articles at the same stage of manufacture, while at the same time not reducing the quantities made available to, and used by, past beneficiaries ;

Whereas, in keeping with the objectives of this Regulation, it is appropriate that the product quantities allocated should be reviewed at the end of each year in which available quantities for newcomers do not prove sufficient ;

Whereas for the purpose of ensuring an efficient and impartial management of the system, the distribution of outward processing quantities which have not been set aside to meet the applications of persons with past performance allocation should be effected on a first-come, first-served basis ;

Whereas, in view of Protocol No 1 on Textiles and Clothing Products to the Europe Agreements and the Interim Agreements concluded between the Community and the Czech Republic, the Slovak Republic, Poland, Hungary, Bulgaria and Romania, it is appropriate that the scope of the application of the Regulation be extended to certain liberalized categories of products originating in those countries ;

Whereas it is necessary that the list of products to which this Regulation applies should be in conformity with the present classification of textile products (categories) based on the combined Nomenclature ;

Whereas this Regulation should not affect reimportations into the Community of products after their working or processing in third countries pursuant to prior authorizations issued before the date of its application ;

Whereas an efficient Community administration of the outward processing arrangements requires close cooperation between the Member States and the Commission,

HAS ADOPTED THIS REGULATION :

Article 1

1. This Regulation lays down the conditions for the application of economic outward processing arrangements (hereinafter referred to as 'the arrangements') to textile products and clothing listed in Chapters 50 to 63 of the Combined Nomenclature and resulting from outward processing operations.

2. For the purpose of this Regulation 'outward processing operations' (hereinafter referred to as 'processing operations') shall mean the operations which consist in the processing in a third country of goods temporarily exported from the Community for subsequent reimportation in the form of compensating products.

3. Without prejudice to Article 11 (3), the provisions of this Regulation shall apply to textile products and clothing resulting from processing operations in a third country whenever there are arrangements on import limits or surveillance with regard to imports of textile products and clothing from the said third country and whenever there are specific measures applicable to products resulting from a processing operation in the case of those products and that third country.

4. For the purposes of this Regulation :

- (a) 'compensating products' shall mean products resulting from the use of goods which have undergone the processing operations referred to in Article 2 (2) (d) ;
- (b) 'goods' shall mean goods exported from the customs territory of the Community to a third country to undergo these processing operations ;
- (c) 'total value of the goods' shall mean :
 - in the case of the goods imported beforehand, their value for customs purposes as defined by Regulation (EEC) No 1224/80 ⁽¹⁾,
 - in all other cases, the ex-factory price ;
- (d) 'competent authority' shall mean the authority in a Member State which is competent to apply the provisions laid down in this Regulation, in particular the granting of prior authorizations ;
- (e) 'similar products' are defined as products falling within the same category or within the same group of categories as is listed in Annex I, which may be modified in accordance with the procedure laid down in Article 12.

Article 2

1. The benefit of the arrangements shall be accorded only to natural or legal persons established within the Community.

2. Any person referred to in paragraph 1 applying to benefit under the arrangements must fulfil the following conditions :

- (a) that person must :
 - manufacture, in the Community, products which are similar to and at the same stage of manufacturing as the compensating products in respect of which the application for the arrangement is made, and

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 1. Regulation as last amended by the Act of Accession of Spain and Portugal.

— perform in his own factory, within the Community, the main production processes on those products, at least sewing and assembly, or knitting in the case of fully fashioned garments obtained from yarn.

In determining the eligibility of an application under this provision, the competent authorities shall not take into account the design or manufacture of models or samples ;

- (b) that person may have compensating products manufactured, in a third country, by means of processing within the quantities allocated by the competent authorities of the Member State where the application is made, and subject to the conditions laid down in Article 3 ;
- (c) the goods which that person exports temporarily for processing operations must be in free circulation within the meaning of Article 9 (2) of the Treaty and of Community origin within the meaning of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾ and its implementing regulations. Derogations from the provisions of this subparagraph may be granted by Member States' authorities only in respect of goods of which Community production is insufficient. Such derogations may not be granted in respect of more than 14 % of the total value of the goods for which a prior authorization is requested or in respect of which the benefit of the arrangement was granted to the beneficiary during the previous year. In exceptional and economically justified cases the competent authorities, on the basis of a decision taken in accordance with the procedure laid down in Article 12, may agree to a higher percentage of derogation.

Past beneficiaries who benefited in 1994 from a percentage higher than 14 % may continue to do so for the same quantities for a period of three years on the basis of a list to be established by the Commission. Thereafter, such exceptions may be renewed on the basis of a decision taken in accordance with the procedure laid down in Article 12.

The Member State shall communicate quarterly to the Commission the main aspects of the derogations thus granted, namely, the nature, origin and quantities of the goods in question originating outside the Community. The Commission shall communicate this information to the other Member States with a view to an examination by the Committee referred to in Article 12.

- (d) the processing operations to be carried out in third countries must not be more extensive than those stipulated for each product in Annex II. The processing operations to be carried out may, however, be less

extensive than those stipulated for each product in Annex II.

3. Member States may derogate from the provisions of paragraph 2 (a) in respect of persons not fulfilling the conditions laid down in that paragraph.

Such derogations shall apply only to the amount of the total quantities imported under specific arrangements of the type defined in Article 1 (3) during one of the two years preceding the entry into force of Regulation (EEC) No 636/82, and to products not different in kind or purpose.

Where, following the entry into force of this Regulation, a specific arrangement of a type defined in Article 1 (3) is established for the first time with regard to a country, and replaces for certain quantities the non-specific import limitation arrangement previously applicable to such quantities without, however, giving rise to an overall increase in the import possibilities as a result of the cumulative application of the two arrangements, similar derogations may be applied up to the limit of the quantities of products resulting from processing operations which were previously imported under the non-specific import limitation arrangement.

The derogations referred to in the preceding subparagraphs shall apply with priority to those persons who have previously benefited from the specific arrangements referred to above.

Cases of the application of this paragraph shall be communicated to the Commission, which shall forward them to Member States with a view to annual examination by the Committee referred to in Article 12.

Article 3

1. The annual quantities of compensating products whose reimportation may be authorized under the specific import arrangements referred to in Article 1 (3) shall be established at Community level.

2. The competent authorities shall distribute the annual quantities referred to in paragraph 1 amongst the potential beneficiaries as defined in Article 2 on the basis of their applications presented in conformity with Article 4 (2) and only upon confirmation by the Commission that there are still quantities available within the overall Community quota for the entire category and the third country concerned.

3. Without prejudice to Article 2 (3), this distribution shall be such as to ensure that the objective of maintaining the industrial activity of the beneficiary in the Community, as laid down in Article 2 (2), is respected as regards both the nature of the products and their quantities expressed in physical units or added value.

4. Each past beneficiary shall be allocated for each category and third country an amount equal to the overall quantity for which he carried out OPT either in 1993 or 1994 for that category and that country.

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

Beneficiaries shall become eligible for additional allocations for the same category and for the same country in accordance with paragraph 5 only when they have used the quantities mentioned in the previous subparagraph as laid down in the fourth subparagraph of paragraph 5.

In addition, a past beneficiary who chooses not to use the quantities reserved to him under the first subparagraph in respect of a specific category and third country shall become eligible to apply for an equivalent quantity in another category and third country, in accordance with the first come, first served rule referred to in the first subparagraph of paragraph 5. The quantities for which a renunciation has been made shall immediately be added to the quantities to be allocated under paragraph 6.

On the accession of a country to the Community, these provisions shall apply to the economic operators of that country who have carried out outward processing operations in one of the two years preceding the accession up to the level of the quantities so carried out.

5. The quantities of compensating products which have not been set aside to fulfil the applications made under paragraph 4 shall be distributed by the Commission on the basis of the notifications received by the Member States and in the chronological order in which these notifications have been received (first come, first served basis).

Allocations shall only be granted to those manufacturers who can prove that in the preceding year they maintained production in the Community. Each of these manufacturers may apply for a total quantity of compensating products with a value of the processing carried out in third countries no higher than 50 % of the value of his Community production.

The value of the Community production of the applicants concerned shall be determined on the basis of all products listed in Annex II that have been manufactured within the Community.

The allocation will be made by maximum amounts per application for each category and for each third country concerned. If a new application is submitted, additional amounts for the same category and for the same third country may only be allocated by the competent authorities to a particular applicant when the amount previously authorized for that applicant has been actually utilized by at least 50 % or at least quantities of goods corresponding to 80 % of the previously authorized amount have been exported.

Each of the manufacturers who has been authorized to carry out outward processing operations under this paragraph over the preceding year shall have quantities of compensating products allocated to him under paragraph 4. Where a manufacturer's Community production has declined due to outward processing operations carried out

in the preceding year, these past performance quantities shall be reduced proportionately.

The quantities for each category and each third country which have been allocated shall correspond to the amount of compensating products reimported by the manufacturer during the period referred to in the previous subparagraph.

6. Where beneficiaries do not use the total quantities for which they have received prior authorizations under this Article, the unused quantities shall be re-credited to the Community quota and thereby be made available in accordance with the procedure referred to in paragraph 5.

The applicant shall return, within 15 days of the expiry period, all prior authorizations, unused or partly used, to the competent authorities who delivered that authorization.

For the application of this paragraph, 'unused quantities' shall be considered to be those quantities for which prior authorizations have been issued but not used within a time limit of six months or nine months in case of extension of the original time limit by the competent authorities (i.e. the temporary export formalities for the entire quantity of raw material indicated in the prior authorization have not been completed). The competent authorities shall indicate to the Commission as quickly as possible the amounts of any unused quantities to be re-credited to the Community quota.

7. At the end of any calendar year in which the available quantities of compensating products prove to be insufficient in relation to applications made under paragraph 5, an examination shall be made, in accordance with the procedure set out in Article 12, as to the extent and the way in which allocations have to be reviewed.

8. Provisions relating to the application of this Article shall be adopted in accordance with the procedures laid down in Article 12.

Article 4

1. The competent authorities shall only issue a prior authorization to those applicants who meet the conditions laid down in this Regulation.

2. The applicant shall submit to the competent authorities the contract concluded with the undertaking responsible for carrying out the processing operations for his account in the third country, or any evidence considered by the said authorities to be equivalent thereto.

3. The competent authorities of the Member States shall notify the Commission before 15 January each year of the total quantities, per category and third country, which are allocated to beneficiaries under Article 3 (4) during that quota year.

4. From 15 January of each year, requests for prior authorization may be notified to the Commission by the competent authorities and prior authorizations may be issued.

The competent authorities of the Member States, before issuing prior authorizations, shall notify the Commission of the amounts of the requests that they have received. By return, the Commission shall notify its confirmation that the requested amount(s) of quantities are available for reimportation in the chronological order in which the notifications of the Member States have been received (first come, first served basis).

Normally, such notifications shall be communicated electronically within the integrated network set up for this purpose, unless for imperative reasons it is necessary to use other means of communication temporarily.

Article 5

1. Prior authorization shall be granted only where it is possible for the competent authorities to identify temporarily exported goods in the reimported compensating products.

2. The competent authorities may refuse entitlement under the scheme where they find that they are unable to obtain all the necessary guarantees to enable them to exercise effective control over the observance of the provisions of Article 2.

3. The prior authorization shall lay down the conditions under which the processing operations are to take place; these shall include:

- the quantities of goods to be exported and of products to be reimported, calculated by reference to the rate of yield fixed in the light of the technical data relating to the processing operation or operations to be carried out, if the data have been established or, if not, the data available in the Community for operations of the same kind,
- the procedures for identifying the temporarily exported goods in the compensating products,
- the time limit for reimportation depending upon the time necessary to carry out the processing operation or operations.

4. Where the competent authorities establish that the level of employment in the applicant's firm has been significantly reduced due to outward processing operations carried out in any one year, those competent authorities shall similarly reduce the quantities which can be requested under this Regulation by that applicant in the following year.

Article 6

The prior authorization issued by the competent authorities shall be submitted to the customs office concerned at

the time of temporary exportation for the purposes of accomplishing the customs formalities.

Article 7

If the Commission so requests, the Member States shall notify it of any refusal of prior authorizations together with the reasons, relative to the conditions in this Regulation, why such authorization was withheld.

Article 8

1. Without prejudice to paragraph 2 and provided the conditions laid down in the authorization are complied with and the other customs formalities normally required at the time of importation are observed, the reimportation of the compensating products may not be refused.

2. When the compensating products are reimported into the Community, the person declaring them shall submit to the competent authorities, without prejudice to any other Community rules governing trade with the third country concerned, the prior authorization together with proof that the processing operation has in fact been performed in the third country stated in the prior authorization.

Article 9

The competent authorities may, where it is justified by the circumstances:

- grant an extension of the time limit originally fixed for reimportation,
- allow the compensating products to be reimported in several consignments; where this is done, a note shall be made on the prior authorization as and when each consignment arrives.

The competent authorities may also allow the reimportation of the compensating products even if not all the processing operations provided for in the prior authorization have been performed.

Article 10

Member States shall communicate to the Commission figures relating to all reimportations carried out on their territory within the framework of this Regulation. The Commission shall communicate this information to the Member States.

Article 11

1. The arrangements provided for in this Regulation shall replace all other economic outward processing arrangements currently applied by the Member States in respect of the products referred to in Article 1.

2. This Regulation shall apply without prejudice to Articles 154 to 159 of Council Regulation (EEC) No 2913/92 relating to the outward processing arrangements and standard exchanges.

3. For the application of the provisions of Article 2 (3) of Protocol No 1 on Textiles and Clothing Products to the Europe Agreements and the Interim Agreements between the Community and the Czech Republic, the Slovak Republic, Hungary, Poland, Romania and Bulgaria respectively, the products which are listed in Annex II and which originate in those countries in accordance with Protocol No 4 on origin to the Europe Agreements with the Community, do not need to be subject to the arrangements or the specific measures referred to in Article 1 (3) or the annual limits referred to in Article 2 (2) (b). Prior authorizations for those categories of products shall be issued by the competent authorities after notification to the Commission of the quantities requested, and provided that the conditions of the Regulation are fulfilled.

Article 12

1. A committee on economic outward processing arrangements for textiles (hereinafter called 'the Committee') shall be set up and shall consist of representatives of the Member States, with a representative of the Commission acting as chairman.

The Committee shall draw up its own rules of procedure.

2. The Committee may examine all questions relating to the application of this Regulation referred to it by its chairman either on his own initiative or at the request of a representative of a Member State.

3. The provisions required for the application of this Regulation shall be adopted in accordance with the procedure laid down below :

- (a) the representative of the Commission shall submit to the Committee a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by a majority of 54 votes, the votes of the Member States being weighted as provided for in Article 148 (2) of the Treaty. The Chairman shall not vote.
- (b) (i) The Commission shall adopt the intended measures when they are in accordance with the Committee's opinion.
(ii) Where the intended measures are not in accordance with the opinion of the Committee, or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.
(iii) If, on the expiry of one month from the date on which the matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately.

Article 13

This Regulation shall not affect the reimportation into the Community of products after working or processing in third countries on the basis of prior authorizations issued before the entry into force of this Regulation.

Regulation (EEC) No 636/82 shall be repealed with effect from 31 December 1994.

Article 14

This Regulation shall enter into force on 1 January 1995. Article 11 (3) shall apply from 1 January 1994.

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

Done at Brussels, 8 December 1994.

For the Council
The President
G. REXRODT

ANNEX I

Groups of categories referred to in Article 1 (4) (d)

Similar products at the same stage of manufacture are defined as products falling within the same category or within the same group of categories as listed below :

Group 1 (outerwear)

Categories 4, 5, 6, 7, 8, 14, 15, 16, 17, 21, 26, 27, 28, 29, 68, 73, 74, 75, 76, 77, 78, 83, 156, 157, 159, 161.

Group 2 (underwear)

Categories 4, 5, 12, 13, 18, 24, 26, 28, 31, 68, 69, 70, 72, 73, 78, 83, 86, 157, 161.

Group 3 (other products)

Categories 10, 12, 68, 70, 72, 78, 83, 85, 87, 91.

ANNEX II

List of maximum processing levels referred to in Article 2 (2) (d)

Compensating products by categories (1)	Maximum processing level
<i>Categories</i> 4, 5, 6, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 21, 24, 26, 27, 28, 29, 31, 68, 69, 70, 72, 73, 74, 75, 76, 77, 78, 83, 85, 86, 87, 91, 156, 157, 159, 161	<i>Operation</i> Processing from woven or knitted fabrics (2)

(1) Categories refer to those listed in Annex I to Regulation (EEC) No 3030/93 of 12 October 1993 (OJ No L 275, 8. 11. 1993, p. 1) and any amendments thereof.

(2) However, the operation whereby fully fashioned knitwear is obtained from yarn may also count as a processing operation within the meaning of this Regulation, provided that the temporary exports of yarn authorized for this purpose in any year do not exceed 7 % by weight of the total temporary exports authorized in the Community in the previous year under specific arrangements of the type referred to in Article 1 (3).

The Commission shall ensure that the limit of 7 % as provided for above will not be exceeded at Community level.

To this end, the provisions of Article 4 shall apply.

COMMISSION REGULATION (EC) No 3037/94

of 14 December 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 15 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, 14 December 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 14 December 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	26,01 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	26,67 ⁽¹⁾
1701 12 90 910	26,01 ⁽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	29,37
1701 99 10 950	29,37
	— 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 3038/94

of 14 December 1994

fixing the maximum export refund for white sugar for the 29th 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 29th 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 29th 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 31,890 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 15 December 1994.

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

Done at Brussels, 14 December 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 3039/94
of 14 December 1994
amending Regulation (EEC) No 1102/89 laying down certain measures for
implementing Council Regulation (EEC) No 1101/89 on structural improvements
in inland waterway transport

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1101/89 of 27 April 1989 on structural improvements in inland waterway transport⁽¹⁾, as last amended by Commission Regulation (EC) No 2812/94⁽²⁾, and in particular Article 6 thereof,

Whereas Regulation (EEC) No 1101/89 provides for the possibility of reducing the capacity of the inland waterway fleet by organizing scrapping schemes coordinated at Community level;

Whereas Commission Regulation (EEC) No 1102/89⁽³⁾, as last amended by Regulation (EC) No 3433/93⁽⁴⁾, laid down the detailed rules for operating the scrapping schemes;

Whereas at the present time the financial resources available are not sufficient to achieve the objective of a substantial reduction in overcapacity; whereas, therefore, the number of applications for scrapping premiums on the joint waiting list provided for in Article 8 (6) of Regulation (EEC) No 1102/89, in the version set out in Regulation (EEC) No 3690/92⁽⁵⁾, continues to increase;

Whereas this situation is likely to aggravate the imbalance that already exists in the inland waterway transport market; whereas, given that it is impossible in the difficult economic climate in the sector to increase the levels of annual contributions paid by the owners of vessels to the scrapping funds, the Member States in question have undertaken to provide the scrapping funds, by drawing on their national budgets, with the financial resources needed to scrap the vessels on the joint waiting list as at 30 June 1994;

Whereas, to prevent any distortion of competition, these scrapping schemes must be put into operation at the same time, for the same duration and under the same conditions in all the Member States concerned; whereas the Commission must lay down the period during which scrapping premiums may be obtained and the conditions for granting these premiums on the basis of the objectives

to be attained and the financial resources of the funds; whereas, therefore, for this scrapping scheme, the detailed rules regarding notification of acceptance of applications for scrapping premiums should be laid down, along with the deadlines for the vessels to be scrapped and the scrapping premiums to be paid; whereas Regulation (EEC) No 1102/89 should therefore be amended;

Whereas the Member States and the organizations representing inland waterways carriers have been consulted on the measures provided for in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1102/89 is amended as follows:

1. the following paragraph 5 is added to Article 1:

‘5. Without prejudice to the provisions of paragraphs 1 to 4, the Member States concerned shall, as from 1 January 1995 and from their national budgets, provide the scrapping funds with the financial resources needed to scrap the vessels to which the applications on the joint waiting list provided for in Article 8 (6) relate and which have been on that list since before 1 July 1994. A total budget of ECU 26 716 000 is deemed necessary to this effect, of which ECU 19 359 000 for dry cargo carriers, ECU 3 322 000 for tanker vessels and ECU 4 035 000 for pusher craft.’;
2. the following paragraphs 7 and 8 are added to Article 8:

‘7. Between 1 and 31 January 1995 the fund authorities shall notify the owners of vessels whose applications for scrapping premiums were received before 1 July 1994 and whose vessels are on the joint waiting list of acceptance of their applications. They shall send the Commission a list of these notifications by 1 March 1995.

8. Notwithstanding the provisions set out in the first subparagraph of Article 7 (5), the owner of a vessel who has received the notification referred to in paragraph 7 of this Article shall be under an obligation to scrap the vessel within nine months of the date of notification.’;

⁽¹⁾ OJ No L 116, 28. 4. 1989, p. 25.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 22.

⁽³⁾ OJ No L 116, 28. 4. 1989, p. 30.

⁽⁴⁾ OJ No L 314, 16. 12. 1993, p. 10.

⁽⁵⁾ OJ No L 374, 22. 12. 1992, p. 22.

3. the following paragraph 4 is added to Article 9 :

'4. Notwithstanding the provisions of paragraphs 1 and 3, second subparagraph, the scrapping premium for an application accepted pursuant to Article 8 (7) shall be paid within one month of the date on which the owner of the vessel proves that the vessel has been duly scrapped.

The fund authorities shall send the Commission each month, as from 1 May 1995, a list of the scrapping premiums paid.'

Article 2

This Regulation shall enter into force on 1 January 1995.

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

Done at Brussels, 14 December 1994.

For the Commission

Marcelino OREJA

Member of the Commission

**COMMISSION REGULATION (EC) No 3040/94
of 14 December 1994**

fixing, for the period 1 January to 30 June 1995, the quota for imports into Spain of pigmeat products from third countries and certain detailed rules for the application thereof

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 491/86 of 25 February 1986 laying down detailed rules concerning quantitative restrictions on imports into Spain of certain agricultural products from third countries⁽¹⁾, as amended by Commission Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 3 thereof,

Whereas the quota for 1994 for imports into Spain of pigmeat products from third countries is set out in the Annex to Commission Regulation (EC) No 3346/93⁽³⁾; whereas Article 3 of the said Regulation also lays down a minimum rate of progressive increases of the quota of 10 %; whereas this increase still reflects market needs; whereas the quota for 1995 should be fixed;

Whereas, however, quantitative limits are prohibited by the Agreement on Agriculture concluded as part of the GATT Uruguay Round trade negotiations and which is due to apply from 1 July 1995; whereas, therefore, a quota should only be opened for the first half of 1995;

Whereas, to ensure proper management of the quota, applications for import authorizations should be subject to the lodging of a security to cover, as a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽⁴⁾, as last amended by Regulation (EC) No 3403/93⁽⁵⁾, the effective importation of the goods;

Whereas provision should be made for Spain to communicate information to the Commission on the application of the quota;

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

HAS ADOPTED THIS REGULATION :

Article 1

The quota during the period 1 January to 30 June 1995 that Spain may apply, pursuant to Article 77 of the Act of Accession, to imports of pigmeat products from third countries shall be as shown in the Annex hereto.

Article 2

1. The Spanish authorities shall issue import authorizations so as to ensure a fair allocation of the available quantity between the applicants.

2. Applications for import authorizations shall be subject to the lodging of a security. The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 covered by the security shall consist in the effective importation of the goods.

Article 3

The minimum rate of progressive increase of the quotas shall be 10 % at the beginning of each year.

The increase shall be added to each quota and the subsequent increase shall be calculated on the basis of the total figure obtained.

Article 4

The Spanish authorities shall communicate to the Commission the measures which they adopt for the application of Article 2.

They shall transmit, not later than the 15th of each month, the following information on import authorizations issued in the preceding month :

- the quantities covered by the import authorizations issued, by country of provenance,
- the quantities imported, by country of provenance.

Article 5

This Regulation shall enter into force on 1 January 1995.

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 25.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 300, 7. 12. 1993, p. 3.

⁽⁴⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽⁵⁾ OJ No L 310, 14. 12. 1993, p. 4.

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

Done at Brussels, 14 December 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

		(tonnes)
CN code	Description	Quota for the period 1 January to 30 June 1995
ex 0103	Live swine, of domestic species, other than pure-bred breeding animals	} 1 179
ex 0203	Meat of domestic swine, fresh, chilled or frozen	
ex 0206	Edible offal of domestic swine, other than for the manufacture of pharmaceutical products, fresh, chilled or frozen	
ex 0209	Pig fat free of lean meat (not rendered), fresh, chilled, frozen, salted, in brine, dried or smoked	
ex 0210	Meat and edible meat offal of domestic swine, salted, in brine, dried or smoked	
1501 00 11	Lard and other pig fat, rendered, whether or not pressed or solvent extracted	
1501 00 19		
1601	Sausages and similar products, of meat, meat offal or blood ; food preparations based on these products	
1602 10	Homogenized preparations of meat, meat offal or blood	
1602 20 90	Preparations or preserves of liver of any animal, other than goose or duck	
1602 41 10	Other preparations and preserves containing meat or offal of domestic swine	
1602 42 10		
1602 49 11		
to		
1602 49 50		
1602 90 10	Preparations of blood of any animal	
1602 90 51	Other preparations or preserves containing meat or meat offal of domestic swine	
1902 20 30	Stuffed pasta, whether or not cooked or otherwise prepared, containing more than 20 % by weight of sausages and the like, of meat and meat offal of any kind, including fats of any kind or origin	

COMMISSION REGULATION (EC) No 3041/94

of 14 December 1994

amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter

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 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 2045/91 ⁽⁴⁾, and in particular Article 7a thereof,

Whereas Commission Regulation (EEC) No 3143/85 ⁽⁵⁾, as last amended by Regulation (EC) No 1970/94 ⁽⁶⁾, introduced a scheme for the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter;

Whereas, given that the level of aid for concentrated butter intended for direct consumption in the Community fixed pursuant to Commission Regulation (EEC) No 429/90 ⁽⁷⁾, as last amended by Regulation (EEC) No

1756/93 ⁽⁸⁾, has been reduced, the selling price for intervention butter and the destination security should be adjusted in order to maintain a balance between the two measures for the disposal of butter;

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

Article 2 of Regulation (EEC) No 3143/85 is hereby amended as follows:

- in paragraph 1, 'ECU 175' is replaced by 'ECU 170',
- in the first indent to the first subparagraph of paragraph 4, 'ECU 194' is replaced by 'ECU 189'.

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, 14 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 1.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 187, 13. 7. 1991, p. 1.

⁽⁵⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁶⁾ OJ No L 198, 30. 7. 1994, p. 112.

⁽⁷⁾ OJ No L 45, 21. 2. 1990, p. 8.

⁽⁸⁾ OJ No L 161, 2. 7. 1993, p. 48.

COMMISSION REGULATION (EC) No 3042/94**of 14 December 1994****amending Regulation (EC) No 2112/94 on the opening of a standing invitation to tender for the sale on the internal market of cereals held by the intervention agency of the United Kingdom**

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,Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;Whereas the last partial invitation to tender under Commission Regulation (EC) No 2112/94 ⁽⁵⁾, as amended by Regulation (EC) No 2610/94 ⁽⁶⁾, should be postponed;

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 2 (2) of Regulation (EC) No 2112/94 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 6 April 1995.'

*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, 14 December 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 191, 31. 7. 1993, p. 76.⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 1.⁽⁶⁾ OJ No L 279, 28. 10. 1994, p. 5.

COMMISSION REGULATION (EC) No 3043/94**of 14 December 1994****amending Regulation (EC) No 2114/94 on the opening of a standing invitation to tender for the sale on the internal market of cereals held by the Italian 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,Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;Whereas the last partial invitation to tender under Commission Regulation (EC) No 2114/94 ⁽⁵⁾ should be postponed;

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 2 (2) of Regulation (EC) No 2114/94 is replaced by the following:

‘2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 6 April 1995.’

*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, 14 December 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 191, 31. 7. 1993, p. 76.⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 4.

COMMISSION REGULATION (EC) No 3044/94**of 14 December 1994****amending Regulation (EC) No 2115/94 on the opening of a standing invitation to tender for the sale on the internal market of cereals held by the Irish 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,Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;Whereas the last partial invitation to tender under Commission Regulation (EC) No 2115/94 ⁽⁵⁾ should be postponed;

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 2 (2) of Regulation (EC) No 2115/94 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 6 April 1995.'

*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, 14 December 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 191, 31. 7. 1993, p. 76.⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 5.

COMMISSION REGULATION (EC) No 3045/94
of 13 December 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 16 December 1994.

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

Done at Brussels, 13 December 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	61,10	2406	457,99	117,04	401,67	18 055	48,36	120 866	131,07	47,48
1.20	0702 00 10 0702 00 90	Tomatoes	129,81	5112	972,97	248,65	853,32	38 358	102,74	256 772	278,46	100,88
1.30	0703 10 19	Onions (other than seed)	20,10	791	150,69	38,51	132,16	5 941	15,91	39 769	43,12	15,62
1.40	0703 20 00	Garlic	68,13	2683	510,69	130,51	447,89	20 133	53,92	134 774	146,15	52,95
1.50	ex 0703 90 00	Leeks	31,84	1 254	238,69	61,00	209,34	9 410	25,20	62 992	68,31	24,74
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	108,43	4 270	812,72	207,69	712,78	32 041	85,82	214 483	232,60	84,26
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>)	293,81	11 571	2 202,09	562,76	1 931,31	86 816	232,54	581 146	630,23	228,32
1.170		Beans :										
1.170.1	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	103,80	4 088	778,01	198,82	682,34	30 672	82,15	205 323	222,66	80,66
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	505,09	19 892	3 785,66	967,45	3 320,14	149 247	399,76	999 056	1 083,45	392,51
1.200.2	ex 0709 20 00	— other	166,41	6 554	1 247,27	318,75	1 093,89	49 172	131,71	329 162	356,96	129,32
1.210	0709 30 00	Aubergines (egg-plants)	172,62	6 798	1 293,79	330,64	1 134,70	51 007	136,62	341 439	370,28	134,14
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	76,64	3 018	574,42	146,79	503,78	22 646	60,65	151 593	164,40	59,55
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	117,99	4 646	884,33	225,99	775,59	34 864	93,38	233 381	253,09	91,69
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	50,96	2 007	381,94	97,60	334,98	15 058	40,33	100 797	109,31	39,60
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	75,35	2 967	564,75	144,32	495,31	22 265	59,63	149 042	161,63	58,55
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	48,81	1 922	365,86	93,50	320,87	14 424	38,63	96 553	104,71	37,93
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	107,03	4 215	802,23	205,01	703,58	31 627	84,71	211 714	229,59	83,17

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	141,42	5 569	1 059,98	270,88	929,63	41 789	111,93	279 734	303,36	109,90
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	20,36	802	152,64	39,01	133,87	6 018	16,11	40 284	43,68	15,82
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	22,93	903	171,90	43,93	150,76	6 777	18,15	45 367	49,19	17,82
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	54,03	2 128	405,01	103,50	355,20	15 967	42,76	106 885	115,91	41,99
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	83,43	3 286	625,36	159,81	548,46	24 654	66,03	165 038	178,98	64,84
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	29,96	1 180	224,59	57,39	196,97	8 854	23,71	59 271	64,27	23,28
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	163,43	6 436	1 224,91	313,03	1 074,28	48 291	129,35	323 261	350,56	127,00
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	31,61	1 245	236,94	60,55	207,81	9 341	25,02	62 531	67,81	24,56
2.90.2	ex 0805 40 00	— pink	42,58	1 677	319,16	81,56	279,91	12 582	33,70	84 228	91,34	33,09
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	262,09	10 322	1 964,36	502,01	1 722,81	77 444	207,43	518 407	562,20	203,67
2.110	0807 10 10	Water-melons	71,63	2 821	536,86	137,20	470,84	21 165	56,69	141 681	153,65	55,66
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	41,72	1 643	312,74	79,92	274,29	12 329	33,02	82 536	89,50	32,42
2.120.2	ex 0807 10 90	— other	116,93	4 605	876,44	223,98	768,66	34 553	92,55	231 297	250,83	90,87
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	58,73	2 313	440,24	112,50	386,10	17 356	46,48	116 183	125,99	45,64
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	248,84	9 800	1 865,07	476,63	1 635,73	73 529	196,95	492 204	533,78	193,37
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	80,20	3 158	601,11	153,62	527,20	23 698	63,47	158 638	172,03	62,32

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	245,97	9 687	1 843,57	471,14	1 616,87	72 681	194,68	486 529	527,62	191,14
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	249,59	9 829	1 870,65	478,06	1 640,62	73 749	197,54	493 676	535,38	193,95
2.180	ex 0809 30 10	Nectarines	146,04	5 751	1 094,59	279,73	959,99	43 153	115,58	288 869	313,27	113,49
2.190	0809 40 11 0809 40 19	Plums	138,37	5 449	1 037,10	265,04	909,57	40 887	109,51	273 698	296,81	107,53
2.200	0810 10 10 0810 10 90	Strawberries	620,39	24 432	4 649,75	1 188,28	4 077,98	183 313	491,01	1 227 095	1 330,75	482,10
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.)	97,30	3 832	729,29	186,37	639,61	28 752	77,01	192 465	208,72	75,61
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)	93,21	3 671	698,63	178,54	612,72	27 543	73,77	184 374	199,95	72,43
2.250	ex 0810 90 30	Lychees	475,46	18 725	3 563,58	910,70	3 125,37	140 492	376,31	940 449	1 019,89	369,48

COMMISSION REGULATION (EC) No 3046/94**of 14 December 1994****concerning Regulation (EC) No 121/94 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic**

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 9 thereof,Whereas Commission Regulation (EC) No 121/94 of 25 January 1994 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic⁽³⁾, as last amended by Regulation (EC) No 3003/94⁽⁴⁾, specifies the quantities of non-(roasted malt) originating in the Czech and Slovak Republics and the Republic of Hungary which enjoy preferential access under the Interim Agreement concluded with those countries;

Whereas the Commission must fix a single coefficient for reducing the quantities in the import licences applied for where these quantities exceed the quantities in the annual quota; whereas applications for import licences submitted

on 12 December 1994 for malt from the Slovak Republic relate to 8 260 tonnes and the maximum quantity which may be imported is 7 945 tonnes at a levy reduced by 60 %; whereas the corresponding percentage reductions for import licence applications submitted on 12 December 1994 should be fixed,

HAS ADOPTED THIS REGULATION :

Article 1

Applications for licences for the 'Slovak Republic' quota provided for in Regulation (EC) No 121/94 at a levy reduced by 60 % for malt falling within CN code 1107 10 99 submitted on 12 December 1994 and forwarded to the Commission, shall be accepted for the tonnages indicated therein multiplied by a coefficient of 0,91686.

Article 2

This Regulation shall enter into force on 15 December 1994.

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

Done at Brussels, 14 December 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 21, 26. 1. 1994, p. 3.⁽⁴⁾ OJ No L 317, 10. 12. 1994, p. 4.

COMMISSION REGULATION (EC) No 3047/94
of 14 December 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 3019/94 ⁽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 13 December 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 15 December 1994.

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

Done at Brussels, 14 December 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 320, 13. 12. 1994, p. 19.

ANNEX

to the Commission Regulation of 14 December 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy (°)
1701 11 10	29,70 (°)
1701 11 90	29,70 (°)
1701 12 10	29,70 (°)
1701 12 90	29,70 (°)
1701 91 00	36,10
1701 99 10	36,10
1701 99 90	36,10 (°)

(°) 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).

(°) 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.

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

COMMISSION REGULATION (EC) No 3048/94
of 14 December 1994
fixing the import levies on milk and milk products

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 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EC) No 1924/94 ⁽³⁾, as last amended by Regulation (EC) No 2897/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1924/94 to the prices

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 referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 December 1994.

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

Done at Brussels, 14 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 1.

⁽³⁾ OJ No L 198, 30. 7. 1994, p. 6.

⁽⁴⁾ OJ No L 305, 30. 11. 1994, p. 13.

ANNEX

to the Commission Regulation of 14 December 1994 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		16,79	0403 10 16	(¹)	2,0715/kg + 26,40
0401 10 90		15,58	0403 10 22		25,23
0401 20 11		22,82	0403 10 24		29,93
0401 20 19		21,61	0403 10 26		71,81
0401 20 91		27,52	0403 10 32	(¹)	0,1919/kg + 25,19
0401 20 99		26,31	0403 10 34	(¹)	0,2389/kg + 25,19
0401 30 11		69,40	0403 10 36	(¹)	0,6577/kg + 25,19
0401 30 19		68,19	0403 90 11		118,65
0401 30 31		132,54	0403 90 13		177,66
0401 30 39		131,33	0403 90 19		214,40
0401 30 91		221,46	0403 90 31	(¹)	1,1140/kg + 26,40
0401 30 99		220,25	0403 90 33	(¹)	1,7041/kg + 26,40
0402 10 11	(⁴)	118,65	0403 90 39	(¹)	2,0715/kg + 26,40
0402 10 19	(³)(⁴)	111,40	0403 90 51		25,23
0402 10 91	(¹)(⁴)	1,1140/kg + 26,40	0403 90 53		29,93
0402 10 99	(¹)(⁴)	1,1140/kg + 19,15	0403 90 59		71,81
0402 21 11	(⁴)	177,66	0403 90 61	(¹)	0,1919/kg + 25,19
0402 21 17	(⁴)	170,41	0403 90 63	(¹)	0,2389/kg + 25,19
0402 21 19	(³)(⁴)	170,41	0403 90 69	(¹)	0,6577/kg + 25,19
0402 21 91	(³)(⁴)	214,40	0404 10 02		25,09
0402 21 99	(³)(⁴)	207,15	0404 10 04		177,66
0402 29 11	(¹)(³)(⁴)	1,7041/kg + 26,40	0404 10 06		214,40
0402 29 15	(¹)(⁴)	1,7041/kg + 26,40	0404 10 12		118,65
0402 29 19	(¹)(⁴)	1,7041/kg + 19,15	0404 10 14		177,66
0402 29 91	(¹)(⁴)	2,0715/kg + 26,40	0404 10 16		214,40
0402 29 99	(¹)(⁴)	2,0715/kg + 19,15	0404 10 26	(¹)	0,2509/kg + 19,15
0402 91 11	(⁴)	35,54	0404 10 28	(¹)	1,7041/kg + 26,40
0402 91 19	(⁴)	35,54	0404 10 32	(¹)	2,0715/kg + 26,40
0402 91 31	(⁴)	44,43	0404 10 34	(¹)	1,1140/kg + 26,40
0402 91 39	(⁴)	44,43	0404 10 36	(¹)	1,7041/kg + 26,40
0402 91 51	(⁴)	132,54	0404 10 38	(¹)	2,0715/kg + 26,40
0402 91 59	(⁴)	131,33	0404 10 48	(²)	0,2509/kg
0402 91 91	(⁴)	221,46	0404 10 52	(²)	1,7041/kg + 6,04
0402 91 99	(⁴)	220,25	0404 10 54	(²)	2,0715/kg + 6,04
0402 99 11	(⁴)	52,55	0404 10 56	(²)	1,1140/kg + 6,04
0402 99 19	(⁴)	52,55	0404 10 58	(²)	1,7041/kg + 6,04
0402 99 31	(¹)(⁴)	1,2891/kg + 22,78	0404 10 62	(²)	2,0715/kg + 6,04
0402 99 39	(¹)(⁴)	1,2891/kg + 21,57	0404 10 72	(²)	0,2509/kg + 19,15
0402 99 91	(¹)(⁴)	2,1783/kg + 22,78	0404 10 74	(²)	1,7041/kg + 25,19
0402 99 99	(¹)(⁴)	2,1783/kg + 21,57	0404 10 76	(²)	2,0715/kg + 25,19
0403 10 02		118,65	0404 10 78	(²)	1,1140/kg + 25,19
0403 10 04		177,66	0404 10 82	(²)	1,7041/kg + 25,19
0403 10 06		214,40	0404 10 84	(²)	2,0715/kg + 25,19
0403 10 12	(¹)	1,1140/kg + 26,40	0404 90 11		118,65
0403 10 14	(¹)	1,7041/kg + 26,40	0404 90 13		177,66

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		214,40	0406 90 31	(°) (*)	154,28
0404 90 31		118,65	0406 90 33	(°) (*)	154,28
0404 90 33		177,66	0406 90 35	(°) (*)	154,28
0404 90 39		214,40	0406 90 37	(°) (*)	154,28
0404 90 51	(¹)	1,1140/kg + 26,40	0406 90 39	(°) (*)	154,28
0404 90 53	(¹) (²)	1,7041/kg + 26,40	0406 90 50	(°) (*)	154,28
0404 90 59	(¹)	2,0715/kg + 26,40	0406 90 61	(°) (*)	370,39
0404 90 91	(¹)	1,1140/kg + 26,40	0406 90 63	(°) (*)	370,39
0404 90 93	(¹) (²)	1,7041/kg + 26,40	0406 90 69	(°) (*)	370,39
0404 90 99	(¹)	2,0715/kg + 26,40	0406 90 73	(°) (*)	154,28
0405 00 11	(³)	228,00	0406 90 75	(°) (*)	154,28
0405 00 19	(³)	228,00	0406 90 76	(°) (*)	154,28
0405 00 90		278,16	0406 90 78	(°) (*)	154,28
0406 10 20	(³) (*)	195,32	0406 90 79	(°) (*)	154,28
0406 10 80	(³) (*)	251,00	0406 90 81	(°) (*)	154,28
0406 20 10	(³) (*)	370,39	0406 90 82	(°) (*)	154,28
0406 20 90	(³) (*)	370,39	0406 90 84	(°) (*)	154,28
0406 30 10	(³) (*)	159,38	0406 90 85	(°) (*)	154,28
0406 30 31	(³) (*)	146,91	0406 90 86	(°) (*)	154,28
0406 30 39	(³) (*)	159,38	0406 90 87	(°) (*)	154,28
0406 30 90	(³) (*)	256,10	0406 90 88	(°) (*)	154,28
0406 40 10	(³) (*)	143,93	0406 90 93	(°) (*)	195,32
0406 40 50	(³) (*)	143,93	0406 90 99	(°) (*)	251,00
0406 40 90	(³) (*)	143,93	1702 10 10		63,04
0406 90 11	(³) (*)	211,82	1702 10 90		63,04
0406 90 13	(³) (*)	161,83	2106 90 51		63,04
0406 90 15	(³) (*)	161,83	2309 10 15		85,97
0406 90 17	(³) (*)	161,83	2309 10 19		111,59
0406 90 19	(³) (*)	370,39	2309 10 39		104,19
0406 90 21	(³) (*)	211,82	2309 10 59		85,13
0406 90 23	(³) (*)	154,28	2309 10 70		111,59
0406 90 25	(³) (*)	154,28	2309 90 35		85,97
0406 90 27	(³) (*)	154,28	2309 90 39		111,59
0406 90 29	(³) (*)	154,28	2309 90 49		104,19
			2309 90 59		85,13
			2309 90 70		111,59

(¹) The levy on 100 kg of product falling within this code is equal to the sum of the following :

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product ; and
- (b) the other amount indicated.

(²) The levy on 100 kg of product falling within this code is equal to :

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
- (b) the other amount indicated.

(³) Products falling within this code and imported from a third country

— for which an IMA 1 certificate, issued in accordance with Regulation (EEC) No 1767/82, is presented,

— for which an EUR 1 certificate, issued in accordance with amended Regulation (EEC) No 1316/93 for Sweden, amended Regulation (EEC) No 584/92 for Poland, the Czech and Slovak Republics and Hungary and Commission Regulation (EC) No 385/94 (OJ No L 50, 22. 2. 1994, p. 7) for Bulgaria and Romania, is presented,

shall be subject to the levies defined in the said Regulations, respectively.

(*) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

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

COMMISSION REGULATION (EC) No 3049/94
of 14 December 1994
fixing the import levy on molasses

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 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 levy on molasses was fixed by Commission Regulation (EC) No 1946/94⁽⁵⁾, as last amended by Regulation (EC) No 2418/94⁽⁶⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 1946/94 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 13 December 1994 as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be fixed, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, to ECU 0,18 per 100 kilograms.

2. However, no import levy applies to OCT originating products according to Article 101 (1) of Council Decision 91/482/EEC⁽⁷⁾.

Article 2

This Regulation shall enter into force on 15 December 1994.

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

Done at Brussels, 14 December 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. 59.

⁽⁶⁾ OJ No L 258, 6. 10. 1994, p. 14.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

COMMISSION REGULATION (EC) No 3050/94**of 14 December 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 3035/94 ⁽⁵⁾;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 13

December 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 3035/94 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 15 December 1994.

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

Done at Brussels, 14 December 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 321, 14. 12. 1994, p. 28.

ANNEX

to the Commission Regulation of 14 December 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	85,85 ⁽²⁾ ⁽³⁾
0712 90 19	85,85 ⁽²⁾ ⁽³⁾
1001 10 00	2,52 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	57,08
1001 90 99	57,08 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	107,59 ⁽⁶⁾
1003 00 10	83,59
1003 00 90	83,59 ⁽⁹⁾
1004 00 00	91,42
1005 10 90	85,85 ⁽²⁾ ⁽³⁾
1005 90 00	85,85 ⁽²⁾ ⁽³⁾
1007 00 90	86,25 ⁽⁴⁾
1008 10 00	31,41 ⁽⁹⁾
1008 20 00	32,62 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	118,00 ⁽⁹⁾
1102 10 00	187,90
1103 11 10	38,31
1103 11 90	140,07
1107 10 11	112,48
1107 10 19	86,80
1107 10 91	159,67 ⁽¹⁰⁾
1107 10 99	122,05 ⁽⁹⁾
1107 20 00	140,44 ⁽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 amended 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 3051/94
of 14 December 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 13

December 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 15 December 1994.

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

Done at Brussels, 14 December 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 14 December 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	9,99	7,95	6,92
1001 90 99	0	9,99	7,95	6,92
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	14,00	11,13	9,70
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	17,78	14,15	12,32	12,32
1107 10 19	0	13,29	10,57	9,20	9,20
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 9 December 1994

amending Council Decision 89/21/EEC derogating from prohibitions relating to African swine fever for certain areas in Spain

(Text with EEA relevance)

(94/788/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by Directive 94/42/EC⁽²⁾, and in particular Article 9a thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on animal health problems affecting intra-Community trade in fresh meat⁽³⁾, as last amended by Directive 92/118/EEC⁽⁴⁾, and in particular Article 8a thereof,

Having regard to Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products⁽⁵⁾, as last amended by Directive 91/687/EEC⁽⁶⁾, and in particular Article 7a thereof,

Whereas in 1988 in the light of an improved health situation it was possible to adopt Council Decision 89/21/EEC⁽⁷⁾, as last amended by Commission Decision 94/475/EC⁽⁸⁾; whereas Decision 89/21/EEC resulted in the creation of a disease-free region and an infected region;

Whereas in the light of an improved health situation in the provinces of Cáceres and Badajoz, these provinces can be added to the established disease-free region;

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

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 201, 4. 8. 1994, p. 26.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁵⁾ OJ No L 47, 21. 2. 1987, p. 28.

⁽⁶⁾ OJ No L 377, 31. 12. 1991, p. 16.

⁽⁷⁾ OJ No L 9, 12. 1. 1989, p. 24.

⁽⁸⁾ OJ No L 199, 2. 8. 1994, p. 43.

HAS ADOPTED THIS DECISION :

Article 1

Annex I to Decision 89/21/EEC is replaced by the following :

ANNEX I

All parts of the territory of Spain situated to the north and east of a line formed by :

- the provincial border between Badajoz and Huelva where it joins at the border with Portugal, direction south-east until it meets the provincial border of Sevilla,
- the provincial border between Sevilla and Badajoz, direction north-east until it meets the provincial border of Córdoba,
- the provincial border between Badajoz and Córdoba, direction north-east until it meets the provincial border of Ciudad Real,
- the provincial border between Ciudad Real and Córdoba, direction south-east until it crosses the river Guadálmez,
- the Guadálmez, direction south-east ; the provincial border between the provinces of Ciudad Real and Córdoba, the river Río de las Yeguas, direction south and forming the provincial border between the provinces of Córdoba and Jaén ; the river Guadalquivir, direction south-west from the town Villa del Río through the towns Montoro, El Carpio, Córdoba, Almodóvar del Río, Posadas, Peñaflor, Villaverde del Río, Alcolea del Río, Sevilla and Coria del Río until it meets the provincial border between Sevilla and Cádiz,
- the road from the river Guadalquivir, direction south-east through the town Trebujena and Mesas de Asta to Jerez de la Frontera,
- the road 342, direction east through the towns Arcos de la Frontera, Bornos, Villamartín, Algodonales to Olvera,
- the road from Olvera, direction south-east through Estación de Setín to Cuevas del Becerro,
- the road from Cuevas del Becerro, direction north-east Huertas y Montes and then in direction south-east to Ardales and further south to El Burgo,
- the road 344 from El Burgo through Alozaina to Coín,
- the road 337 from Coín through Monda, Ojén and Marbella to the Mediterranean Sea.'

Article 2

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

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 9 December 1994.

For the Commission

René STEICHEN

Member of the Commission
