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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1806/93

of 30 June 1993

opening and providing for the administration of a Community tariff quota for rum, tafia and arrack originating in the African, Caribbean and Pacific (ACP) States (1993 to 1994)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Fourth ACP-EEC Convention⁽¹⁾ entered into force on 1 September 1991;

Whereas Protocol 6 of the said Convention stipulates that products originating in the African, Caribbean and Pacific (ACP) States which fall within CN codes 2208 40 10, 2208 40 90, 2208 90 19 shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional traffic flows between the ACP States and the Community, on the one hand, and between the Member States, on the other; whereas, the Community shall, until 31 December 1995, fix each year the quantities which may be imported free of customs duties; whereas, according to that protocol, these quantities are to be fixed for 1993 on the basis of the largest quantities imported annually from the ACP States into the Community during the past three years for which statistics are available, whereas, for 1994, the quota will be the same as that for the previous year increased by 20 000 hectolitres of pure alcohol;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, on the one hand, and as a result of the application of the new method of calculation in force from 1 January 1994, on the other, the annual quota volume for the period from 1 July 1993 to 30 June 1994 must be fixed at 224 827 hectolitres of pure alcohol;

Whereas this volume is calculated using the following criteria:

- for the second half of 1993, the quota volume shall be equivalent to the level reached by imports into the Community during the second half of 1991, namely, 107 693 hectolitres of pure alcohol, this being the largest volume of imports attained during the corres-

ponding periods of the three previous years for which full statistics are available,

- for the first half of 1994, the quota volume shall be equivalent to that of the first half of 1993, namely, 107 134 hectolitres of pure alcohol, increased by 10 000 hectolitres of pure alcohol;

Whereas equal and continuous access to the said quota should be ensured for all Community importers and the rates laid down for this quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas the decision for the opening of tariff quotas in fulfilment of its international obligations should be taken by the Community; whereas, to ensure the efficient common administration of these quotas, however, there is no obstacle to authorizing the Member States to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quota are used up and inform the Member States accordingly;

Whereas measures should be laid down to ensure that Protocol 6 is implemented under conditions which permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States, on the other;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quotas may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1993 to 30 June 1994, the following products originating in the ACP States shall be imported into the Community free of customs duty within the limits of the relevant Community tariff quota shown below:

⁽¹⁾ OJ No L 229, 17. 8. 1991, p. 3.

Order No	CN code	Description	Quota volume (in hl of pure alcohol)	Quota duty
09.1605	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafia and arrack	224 827	Free

Article 2

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

Article 3

If an importer presents, in a Member State, a declaration of entry for free circulation together with a request for preferential treatment for a product covered by this Regulation, and if the declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements from the quota volume.

Requests to draw from the quota, indicating the date of acceptance of the said declaration, must be transmitted to the Commission without delay.

Drawings shall be granted by the Commission by reference to the date of acceptance, by the customs authorities of the Member State concerned, of the declarations of entry for free circulation, provided the residual balance so permits.

If a Member State does not use the quantities drawn, it shall return them to the quota as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, allocation shall be made on

a pro rata basis. The Member States shall be informed by the Commission of the drawings granted.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quota as long as the residual balance of the quota volume so permits.

Article 5

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

Article 6

Council Regulation (EEC) No 3705/90 of 18 December 1990 on the safeguard measures provided for in the Fourth ACP-EEC Convention⁽¹⁾ shall apply to the products covered by this Regulation.

Article 7

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

It shall apply from 1 July 1993.

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

Done at Luxembourg, 30 June 1993.

For the Council

The President

S. BERGSTEIN

⁽¹⁾ OJ No L 358, 21. 12. 1990, p. 4.

COUNCIL REGULATION (EEC) No 1807/93

of 30 June 1993

opening and providing for the administration of a Community tariff quota for rum, tafia and arrack originating in the overseas countries and territories (OCT) associated with European Economic Community (1993 to 1994)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, and in particular Annex V thereto,

Having regard to the proposal from the Commission,

Whereas Annex V to Decision 91/482/EEC stipulates that rum, tafia and arrack shall be imported into the Community free of customs duties within the limits of a Community tariff quota;

Whereas, until 31 December 1995, the Community each year sets the quantities which may be imported free of customs duties; whereas those quantities are set for 1993 on the basis of the largest annual quantities imported from the overseas countries and territories (OCT) into the Community during the last three years for which statistics are available; whereas, for 1994, the volume of the quota will be equal to that of the previous year increased by 1 740 hectolitres of pure alcohol;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, on the one hand, and as a result of the application of the method of calculation in force from 1 January 1994, on the other, the annual quota volume for the period from 1 July 1993 to 30 June 1994 should be 1 809,28 hectolitres of pure alcohol;

Whereas, however, by virtue of Article 2 (a) of Annex V to Decision 91/482/EEC, the volume of the quota concerned should be increased to 15 000 hectolitres of pure alcohol;

Whereas equal and continuous access to the said quota should be ensured for all Community importers and the rates laid down for this quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas the decision for the opening of tariff quotas in fulfilment of its international obligations should be taken by the Community; whereas, to ensure the efficient common administration of these quotas, however, there is no obstacle to authorizing the Member States to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quotas may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1993 to 30 June 1994 the following products originating in the OCT shall be imported into the Community free of customs duty within the limits of the relevant Community tariff quota shown below:

Order No	CN code	Description	Quota volume (in hl of pure alcohol)	Quota duty
09.1621	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafia and arak	15 000	Free

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those laid down in Annex II to Decision 91/482/EEC.

Article 2

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

Article 3

If an importer presents, in a Member State, a declaration of entry for free circulation together with a request for preferential treatment for a product covered by this Regulation, and if the declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements from the quota volume.

Requests to draw from the quota, indicating the date of acceptance of the said declaration, must be transmitted to the Commission without delay.

Drawings shall be granted by the Commission by reference to the date of acceptance, by the customs authorities of the Member State concerned, of the declarations

of entry for free circulation, provided the residual balance so permits.

If a Member State does not use the quantities drawn, it shall return them to the quota as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, allocation shall be made on a pro rata basis. The Member States shall be informed by the Commission of the drawings granted.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quota as long as the residual balance of the quota volume so permits.

Article 5

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

Article 6

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

It shall apply from 1 July 1993.

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

Done at Luxembourg, 30 June 1993.

For the Council

The President

S. BERGSTEIN

COMMISSION REGULATION (EEC) No 1808/93**of 7 July 1993****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 Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 10 (5) and Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93⁽³⁾ 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 6 July

1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1680/93 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 8 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 8.

ANNEX

to the Commission Regulation of 7 July 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	132,34 ^(?) ^(?)
0712 90 19	132,34 ^(?) ^(?)
1001 10 00	154,91 ⁽¹⁾ ^(?)
1001 90 91	127,01
1001 90 99	127,01 ^(?)
1002 00 00	136,81 ^(?)
1003 00 10	126,05
1003 00 20	126,05
1003 00 80	126,05 ^(?)
1004 00 00	80,70
1005 10 90	132,34 ^(?) ^(?)
1005 90 00	132,34 ^(?) ^(?)
1007 00 90	142,33 ^(*)
1008 10 00	32,31 ^(?)
1008 20 00	83,01 ^(*)
1008 30 00	64,71 ^(?)
1008 90 10	^(?)
1008 90 90	64,71
1101 10 00	204,56 ^(?)
1102 10 00	220,54
1103 11 30	245,33
1103 11 50	245,33
1103 11 90	231,53
1107 10 11	236,96
1107 10 19	179,80
1107 10 91	235,25
1107 10 99	178,53
1107 20 00	206,26

⁽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, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 1809/93**of 7 July 1993****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 Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, 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⁽²⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽³⁾ 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 6 July

1993, 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 imports 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 8 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 7 July 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	1,91	1,91	1,11
1001 90 99	0	1,91	1,91	1,11
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	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	2,66	2,66	1,56
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
1107 10 11	0	3,40	3,40	1,98	1,98
1107 10 19	0	2,54	2,54	1,48	1,48
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1810/93

of 7 July 1993

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 Economic 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 (EEC) No 1548/93⁽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 (EEC) No 1684/92⁽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 Economic 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⁾ 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⁽¹⁰⁾;

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 8 July 1993.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽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 176, 30. 6. 1992, p. 31.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 7 July 1993 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	35,54 ⁽¹⁾
1701 11 90 910	31,58 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,54 ⁽¹⁾
1701 12 90 910	31,58 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3864
	— ECU/100 kg —
1701 99 10 100	38,64
1701 99 10 910	37,97
1701 99 10 950	37,97
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3864

⁽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 (EEC) No 1811/93**of 7 July 1993****fixing the weighting coefficients to be used in calculating the Community market price for pig carcasses and repealing Regulation (EEC) No 1731/92**

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

Having regard to Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1249/89 ⁽²⁾, and in particular Article 4 (6) thereof,

Whereas the Community market price for pig carcasses, as referred to in Article 4 (2) of Regulation (EEC) No 2759/75, must be established by weighting the prices recorded in each Member State by coefficients expressing the relative size of the pig population of each Member State; whereas these coefficients should be determined on the basis of the number of pigs counted at the beginning of December each year in accordance with Council Directive 76/630/EEC of 20 July 1976 concerning surveys of pig production to be made by the Member States ⁽³⁾, as last amended by Regulation (EEC) No 1059/91 ⁽⁴⁾;

Whereas, in view of the results of the census of December 1992 the weighting coefficients fixed by Commission Regulation (EEC) No 1731/92 ⁽⁵⁾ should be adjusted;

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 weighting coefficients referred to in Article 4 (2) of Regulation (EEC) No 2759/75 shall be as specified in the Annex hereto.

Article 2

Regulation (EEC) No 1731/92 is hereby repealed.

Article 3

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

It shall apply from 1 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 223, 16. 8. 1976, p. 4.

⁽⁴⁾ OJ No L 107, 27. 4. 1991, p. 11.

⁽⁵⁾ OJ No L 179, 1. 7. 1992, p. 114.

*ANNEX***Weighting coefficients to be used in calculating the Community market price for pig carcasses**

Belgium	6,4
Denmark	9,5
Germany	24,2
Greece	1,0
Spain	16,6
France	11,5
Ireland	1,3
Italy	7,6
Luxembourg	0,1
Netherlands	12,5
Portugal	2,3
United Kingdom	7,0

COMMISSION REGULATION (EEC) No 1812/93

of 7 July 1993

fixing for the 1993/94 marketing year the minimum price to be paid to producers for Williams and Rocha pears and the amount of production aid for such pears in syrup and/or natural fruit juice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1569/92 ⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

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

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

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

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

Whereas Article 4 of Regulation (EEC) No 1206/90 provides for the establishment of a system of monetary adjustment with the aim of correcting production aid by the impact, on the minimum price minus the aid, of the differences between the agricultural conversion rate and the average of the market exchange rates during a period to be determined; whereas, in view of the current market

situation and in order to ensure normal competition with third countries, such a system of adjustment should be implemented by applying a coefficient to the aid;

Whereas Commission Regulation (EEC) No 3824/92 ⁽⁶⁾, as last amended by Regulation (EEC) No 1663/93 ⁽⁷⁾, establishes a list of prices and amounts for the fruit and vegetables sector which are to be divided by a coefficient of 1,013088 fixed by Regulation (EEC) No 537/93 ⁽⁸⁾, amended by Regulation (EEC) No 1331/93 ⁽⁹⁾, as from the beginning of the 1993/94 marketing year; whereas Article 2 of Regulation (EEC) No 3824/92 lays down that the resulting reduction in the prices and amounts for each sector concerned shall be specified and the level of such reduced prices fixed,

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1993/94 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for Williams and Rocha pears,
- and
- (b) the production aid referred to in Article 5 of the same Regulation for Williams and Rocha pears in syrup and/or natural fruit juice,

shall be as set out in Annex I.

Article 2

1. A coefficient equal to the impact on the cost price of the difference between the average market exchange rate and the agricultural conversion rate applicable at the beginning of the marketing year shall be applied to production aid.

2. For the application of paragraph 1:

— 'cost price' means the minimum price payable to the producer less the aid,

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁷⁾ OJ No L 158, 30. 6. 1993, p. 18.

⁽⁸⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁹⁾ OJ No L 132, 29. 5. 1993, p. 114.

— 'average market exchange rate' means the average of the rates of the ecu published in the *Official Journal of the European Communities*, series C, during the first trimester of the year during which the marketing year in question starts, multiplied by the correction factor referred to in Article 1 (c) of Regulation (EEC) No 3813/92.

3. The coefficients calculated in accordance with paragraph 1 shall be as set out in Annex II.

Article 3

Where processing takes place outside the Member State in which the produce was grown, such Member State shall

furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 4

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

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Williams and Rocha pears intended for the manufacture of pears in syrup and/or natural fruit juice	32,512

Production aid

Product	ECU/100 kg net
Williams and Rocha pears in syrup and/or natural fruit juice	16,507

*ANNEX II***Coefficients referred to in Article 2 (3) for the 1993/94 marketing year**

Bfr	1,0051
Dkr	0,9982
DM	1,0042
Dr	1,0097
Pta	1,0625
FF	0,9961
£ Irl	1,0291
Lit	0,9854
Fl	1,0056
Esc	1,0302
£	0,9840

COMMISSION REGULATION (EEC) No 1813/93
of 7 July 1993

**amending Regulation (EEC) No 570/88 on the sale of butter at reduced prices
and the grant of aid for cream, butter and concentrated butter for use in the
manufacture of pastry products, ice-cream and other foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (EEC) No 2071/92 ⁽²⁾, and in particular Articles 6 (7), 12 (3) and 28 thereof,

Whereas, following the amendments made by Commission Regulation (EEC) No 124/92 ⁽³⁾ to Commission Regulation (EEC) No 570/88 ⁽⁴⁾, as last amended by Regulation (EEC) No 3774/92 ⁽⁵⁾, there has been found to be some ambiguity, with regard to the homogenous distribution of organoleptic tracers on an examination of the wording of the second subparagraph of Article (6) (1) on the one hand and Annex IIa, on the other; whereas, for reasons of legal certainty, Article 6 (2) should be completed with retroactive effect;

Whereas the concept of intermediate products has been interpreted differently in some Member States; whereas, to remedy this and avoid any discrimination amongst Community operators, criteria should be laid down to allow the products in question to be identified in an objective and transparent manner; whereas, however, intermediate products should, for technical and commercial reasons, mean products which are obtained from concentrated butter meeting the requirements of Annex IV of Regulation (EEC) No 570/88 and which satisfy certain conditions, in particular a minimum butterfat content;

Whereas it should also be specified that intermediate products as well as intermediate processing establishments must be subject to a trial approval procedure; whereas, in order to prevent the abusive use of such a procedure, approval should be made conditional on proof that incorporation into an intermediate product is justified;

Whereas Article 23 (5) of Regulation (EEC) No 570/88 lays down less stringent control measures for products to which tracers have been added in the case of small final users who undertake in writing to purchase maximum quantities over an annual period; whereas less stringent

control is no longer to apply where a final user fails to observe those maximum quantities; whereas it should be laid down that non-compliance with this undertaking must not in all cases and indefinitely lead to the definitive loss of the benefit of less stringent control;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 570/88 is amended as follows:

1. the following subparagraph is added to Article 6 (2):

‘However, with regard to cream, the provisions laid down in the first subparagraph shall not apply if the products referred to in Annex IIa (1) Point 1 (a) are added in such quantities that their flavour or colour can be perceived after the addition of tracers and up to incorporation into the final products referred to in point 2 of Article 4.’;

2. Article 9 (1) (a) is replaced by the following:

‘(a) in accordance with Article 10, the processing establishment and the intermediate products shall or shall not be approved on the basis of an application which specifies in particular the composition of the manufactured products and their butterfat content and which sets out that incorporation into those intermediate products is justified for the manufacture of the final products referred to in Article 4. The list of establishments of final processing and, where appropriate, the list of re-sellers marketing the products shall be forwarded to the competent authority together with the application for approval. These lists shall be updated in accordance with provisions laid down by the Member State concerned.’

3. the following Article 9a is inserted:

Article 9a

The intermediate products referred to in Article 9 shall, without prejudice to Article 4, be products other than the products falling within CN codes 0401 and 0405.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 14, 21. 1. 1992, p. 28.

⁽⁴⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁵⁾ OJ No L 383, 29. 12. 1992, p. 48.

However,

- (a) products with a butterfat content of not less than 82 % manufactured exclusively from the concentrated butter referred to in point (b) of the second paragraph of Article 1 at an establishment approved to that effect in accordance with Article 10, on condition that the tracers referred to in Article 6 (1) have been added to them shall be considered as intermediate products; in this case, the minimum selling price paid and the maximum amount of aid granted shall correspond respectively to the minimum selling price and the maximum amount of aid fixed in accordance with Article 18 in respect of traced butter with a fat content of 82 %;
- (b) the mixtures referred to in Annex VIII shall not be considered as intermediate products.';

4. Article 23 is amended as follows :

- the second subparagraph of point 5 is replaced by the following :

'This point shall apply only if the final user undertakes in writing to purchase over an annual period only a maximum quantity of nine tonnes of butter-equivalent of which, as appropriate, a maximum quantity of 14 tonnes of cream or, as regards butter or concentrated butter, the same quantity in intermediate products. This point shall no longer apply

to a final user who has not complied with this undertaking. However, the competent authority may, on the basis of a written request by the user setting out the reasons for non-compliance with his previous undertaking, approve, if it deems it justified, a further undertaking by that same user. The said approval may take effect only after a period of 12 months following the request. In the meantime, the checks referred to in point 3 shall apply.'

- the following point 8 is added :

'8. After one year of application of the system provided for in Article 9a, each Member State shall draw up a report on the implementation of the provisions relating to the intermediate products referred to in point (a) of the aforesaid Article, and shall forward it to the Commission.';

5. the Annex to this Regulation is added as Annex VIII.

Article 2

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

However, point 1 of Article 1 shall apply with effect from 7 May 1991.

It shall apply from 1 August 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

ANNEX VIII

Products referred to in point (b) of Article 9a

1. Preparations obtained from mixing butterfat with fats covered by Chapter 15 of the combined nomenclature but not including the products falling within CN code 1806.
2. Preparations obtained by mixing butterfat with the products covered by Chapter 21 obtained from products covered by Chapter 15.'

COMMISSION REGULATION (EEC) No 1814/93

of 7 July 1993

amending Regulation (EEC) No 3061/84 laying down detailed rules for the application of the system of production aid for olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Regulation (EEC) No 3061/84 is hereby amended as follows:

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2046/92 ⁽²⁾, and in particular Article 12 (4) thereof,

1. in Article 5, paragraphs 3 and 4 are replaced by the following:

‘3. Aid applications shall be submitted by olive growers not later than 15 June of each marketing year:

Whereas Commission Regulation (EEC) No 3061/84 ⁽³⁾, as last amended by Regulation (EEC) No 1527/92 ⁽⁴⁾, sets 15 June as the final date for the submission of aid applications by olive growers and 15 July as the final date for the submission of applications by producer organizations or associations thereof; whereas non-compliance with those dates results in loss of the total amount of aid;

— to the producer organization in the case of olive growers who are members of a producer organization,

— to the competent authorities of the Member State concerned in the case of olive growers who are not members of a producer organization,

Whereas, given the requirements of the principle of proportionality and with a view to the smooth operation of the granting of aid, the consequences of failing to comply with the final date for the submission of aid applications by a brief period should be limited;

Except in cases of *force majeure*, late submission of an application shall result in a reduction of 1 % per working day in the amount of aid to which the olive growers would have been entitled had the application been submitted on time. If the application is more than 20 days late, it shall be deemed inadmissible.

Whereas, with a view to the sound financial administration of the system, the time limits for paying aid in respect of late applications should be reduced so that the payments can be accounted for during the financial year in course;

4. Producer organizations or, where appropriate, associations thereof shall submit the aid applications for the current marketing year not later than 15 July of each marketing year. However, aid applications submitted late by olive growers may be submitted by the organization or association not later than 31 July of each marketing year.’;

Whereas the measures provided for in this Regulation should take effect in the current marketing year;

2. the following subparagraph is added to Article 12b (1):

‘However, in the case of aid applications submitted late by olive growers, the time limit of 90 days shall be reduced to 85 days.’

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

Article 2

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

It shall apply with effect from 15 June 1993.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 288, 1. 11. 1984, p. 52.

⁽⁴⁾ OJ No L 160, 13. 6. 1992, p. 13.

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

Done at Brussels, 7 July 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EEC) No 1815/93

of 7 July 1993

on the issuing of import documents for preserved tuna and bonito of certain species from certain third countries

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

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as amended by Regulation (EEC) No 697/93⁽²⁾,

Having regard to Commission Regulation (EEC) No 3900/92 of 23 December 1992 laying down the special rules of application for the Community import arrangements for certain species of preserved tuna, bonito and sardines and fixing the quantities of those products which may be imported during 1993⁽³⁾, as amended by Regulation (EEC) No 1792/93⁽⁴⁾, and in particular Article 4 (2) thereof,

Whereas Article 3 (1) of the said Regulation has allocated 64 175 tonnes of the available quantity of 75 500 tonnes to traditional importers; whereas Article 4 (2) of that Regulation provides that if the quantities for which import documents have been applied for exceed the available quantities the Commission is to fix a single percentage figure by which the quantities applied for are to be reduced;

Whereas on 30 June and 1 July 1993 the quantities applied for by traditional importers exceed the quantities available; whereas the extent to which import documents may be issued should accordingly be determined;

Whereas the quantities for which import documents have been issued have reached the amount of 64 175 tonnes; whereas the issuing of these documents to traditional importers should accordingly be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Import documents for preserved tuna of the genus *Thunnus*, skipjack or stripe-bellied bonito (*Euthynnus pelamis*) and other species of the genus *Euthynnus* falling within CN codes ex 1604 14 11, ex 1604 14 19 and ex 1604 20 70, from the third countries referred to in Article 1 (1) of Regulation (EEC) No 3900/92, applied for under Article 3 (1) (a) of that Regulation on 30 June and 1 July 1993 and forwarded to the Commission on 2 July 1993, shall be issued for up to 54,42 % of the quantities applied for.

The issuing of import documents for the products referred to in the first subparagraph is hereby suspended for applications under Article 3 (1) (a) of Regulation (EEC) No 3900/92 lodged from 2 July 1993.

Article 2

This Regulation shall enter into force on 8 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 76, 30. 3. 1993, p. 12.

⁽³⁾ OJ No L 392, 31. 12. 1992, p. 26.

⁽⁴⁾ OJ No L 163, 6. 7. 1993, p. 21.

COMMISSION REGULATION (EEC) No 1816/93**of 7 July 1993****fixing the maximum export refund for white sugar for the sixth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1144/93**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic 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 (EEC) No 1548/93⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1144/93 of 10 May 1993 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 (EEC) No 1144/93, 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 sixth 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 Economic 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 sixth partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1144/93 the maximum amount of the export refund is fixed at ECU 40,527 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 8 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 116, 12. 5. 1993, p. 5.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EEC) No 1817/93

of 7 July 1993

fixing for the 1992/93 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup and/or natural fruit juice

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1569/92⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 3 (2) thereof,

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

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

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

Whereas Article 4 of Regulation (EEC) No 1206/90 provides for the establishment of a system of monetary adjustment with the aim of correcting production aid by the impact, on the minimum price minus the aid, of the differences between the agricultural conversion rate and the average of the market exchange rates during a period to be determined; whereas, in view of the current market situation and in order to ensure normal competition with third countries, such a system of adjustment should be implemented by applying a coefficient to the aid;

Whereas Commission Regulation (EEC) No 3824/92⁽⁶⁾, as last amended by Regulation (EEC) No 1663/93⁽⁷⁾, establishes a list of prices and amounts for the fruit and vege-

tables sector which are to be divided by a coefficient of 1,013080, fixed by Regulation (EEC) No 537/93⁽⁸⁾, amended by Regulation (EEC) No 1331/93⁽⁹⁾, as from the beginning of the 1993/94 marketing year; whereas Article 2 of Regulation (EEC) No 3824/92 lays down that the resulting reduction in the prices and amounts for each sector concerned shall be specified and the level of such reduced prices fixed;

Whereas in accordance with Articles 118 and 304 of the Act of Accession, the common production aid and the common minimum price are applicable in Spain and in Portugal as from the 1992/93 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1993/94 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for peaches,
- and
- (b) the production aid referred to in Article 5 of the same Regulation for peaches in syrup and/or natural fruit juice,

shall be as set out in Annex I.

Article 2

1. A coefficient equal to the impact on the cost price of the difference between the average market exchange rate and the agricultural conversion rate applicable at the beginning of the marketing year shall be applied to production aid.

2. For the application of paragraph 1:

- 'cost price' means the minimum price payable to the producer less the aid,
- 'average market exchange rate' means the average of the rates of the ecu published in the *Official Journal of the European Communities*, series C, during the first quarter of the year during which the marketing year in question starts, multiplied by the correction factor referred to in Article 1 (c) of Regulation (EEC) No 3813/92.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁷⁾ OJ No L 158, 30. 6. 1993, p. 18.

⁽⁸⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁹⁾ OJ No L 132, 29. 5. 1993, p. 114.

3. The coefficients calculated in accordance with paragraph 1 shall be as set out in Annex II.

Article 3

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production

aid that the minimum price payable to the producer has been paid.

Article 4

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

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Minimum price to be paid to producers**

Product	Ecu/100 kg net, ex producer
Peaches intended for the manufactures of peaches in syrup and/or natural fruit juice	22,962

Production aid

Product	Ecu/100 kg net
Peaches in syrup and/or natural fruit juice	6,794

*ANNEX II***The coefficients referred to in Article 2 (3) for the 1993/94 marketing year**

Bfr	1,0168
Dkr	0,9941
DM	1,0141
Dr	1,0322
Pta	1,2061
FF	0,9873
£ Irl	1,0960
Lit	0,9517
Fl	1,0184
Esc	1,0997
£	0,9474

COMMISSION REGULATION (EEC) No 1818/93
of 7 July 1993

amending Regulation (EEC) No 951/93 determining the extent to which applications lodged in April 1993 for import licences for certain pigmeat products under the arrangements provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic and Slovakia can be accepted

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

Having regard to Commission Regulation (EEC) No 564/92 of 5 March 1992 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic⁽¹⁾, as amended by Regulation (EEC) No 3371/92⁽²⁾, and in particular Article 4 (5) thereof,

Whereas Annex II to Commission Regulation (EEC) No 951/93⁽³⁾ sets the total quantities available for the third period; whereas the quantity for Group No 4 was incorrect; whereas, therefore, the said Regulation should be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EEC) No 951/93 is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 61, 6. 3. 1992, p. 9.

⁽²⁾ OJ No L 342, 25. 11. 1992, p. 22.

⁽³⁾ OJ No L 97, 23. 4. 1993, p. 19.

*ANNEX**ANNEX II*

(tonnes)

Group No	Total quantity available for third period
1	1 200,00
2	136,89
3	833,50
4	14 735,00
5	1 800,00
6	850,00
7	4 177,00
8	825,00
9	5 755,00
10	3 825,00
11	412,50'

COMMISSION REGULATION (EEC) No 1819/93
of 7 July 1993
introducing a countervailing charge on tomatoes originating in Finland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 638/93 ⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 735/93 of 29 March 1993 fixing for the 1992 marketing year the reference prices for tomatoes ⁽³⁾ fixed the reference price for products of class I at ECU 99,96 per 100 kilograms net for the month of July 1993;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price

is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74 ⁽⁴⁾, as last amended by Regulation (EEC) No 249/93 ⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for tomatoes originating in Finland the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁶⁾ 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 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 31,85 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Finland.

Article 2

This Regulation shall enter into force on 9 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 75, 30. 3. 1993, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

COMMISSION REGULATION (EEC) No 1820/93
of 7 July 1993
amending Regulation (EEC) No 1453/93 introducing a countervailing charge on
fresh lemons originating in Argentina

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

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 638/93⁽²⁾, and in particular the
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1453/93⁽³⁾,
as last amended by Regulation (EEC) No 1746/93⁽⁴⁾,
introduced a countervailing charge on fresh lemons
originating in Argentina;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72
laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is
amended; whereas if those conditions are taken into
consideration, the countervailing charge on the import of
fresh lemons originating in Argentina must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1453/93 'ECU 21,91'
is hereby replaced by 'ECU 32,61'.

Article 2

This Regulation shall enter into force on 8 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 49.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 38.

COMMISSION REGULATION (EEC) No 1821/93
of 7 July 1993
fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽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⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 1799/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1695/93 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 6 July 1993, 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 8 July 1993.

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

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁵⁾ OJ No L 163, 6. 7. 1993, p. 33.

ANNEX

to the Commission Regulation of 7 July 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,02 ⁽¹⁾
1701 11 90	34,02 ⁽¹⁾
1701 12 10	34,02 ⁽¹⁾
1701 12 90	34,02 ⁽¹⁾
1701 91 00	43,09
1701 99 10	43,09
1701 99 90	43,09 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

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

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 June 1993

on reference laboratories for the monitoring of marine biotoxins

(93/383/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs ⁽⁴⁾ lays down, and in particular in the Annex thereto, various rules regarding biotoxins affecting live bivalve molluscs ;

Whereas Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and placing on the market of fishery products ⁽⁵⁾, sets out, in particular in Article 5 and Chapter V, point II.B of the Annex thereto, certain rules on marine biotoxins affecting fishery products ;

Whereas the monitoring of marine biotoxins is especially important to ensure the placing on the market of live bivalve molluscs and fishery products which comply with the requirements of the said Directives ;

Whereas, in order to provide an efficient monitoring system to test for marine biotoxins, a national reference

laboratory responsible for coordinating the necessary analyses in each Member State should be designated ;

Whereas, to ensure a standardized system throughout the Community, a Community reference laboratory should be designated which will be responsible for coordinating the monitoring of marine biotoxins carried out by each national reference laboratory ; whereas the tasks and operating conditions of the Community reference laboratory should be laid down ;

Whereas the laboratory of the 'Ministerio de Sanidad y Consumo' in Vigo fulfils all the necessary conditions in order to be designated the Community reference laboratory for marine biotoxins ; whereas the officials in charge of the laboratory have undertaken to carry out the tasks laid down in this Decision on the terms set out herein ;

Whereas this Community reference laboratory is eligible for Community aid in accordance with Article 28 of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽⁶⁾,

HAS ADOPTED THIS DECISION :

Article 1

The laboratories listed in the Annex hereto are hereby designated as national reference laboratories for the monitoring of marine biotoxins.

⁽¹⁾ OJ No C 15, 18. 1. 1993, p. 7.

⁽²⁾ OJ No C 115, 26. 4. 1993.

⁽³⁾ OJ No C 129, 10. 5. 1993, p. 7.

⁽⁴⁾ OJ No L 268, 24. 9. 1991, p. 1.

⁽⁵⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽⁶⁾ OJ No L 224, 18. 8. 1990, p. 19.

Article 2

1. Each national reference laboratory shall be responsible for the following tasks :

- coordinating the activities of the national laboratories responsible for analyses of marine biotoxins in the relevant Member State,
- assisting the competent authority in the Member State to organize the system for monitoring marine biotoxins,
- organizing comparative tests between the various national laboratories responsible for analysing marine biotoxins,
- ensuring that the information supplied by the Community reference laboratory is disseminated to the competent authority in the relevant Member State and to the national laboratories responsible for analysing marine biotoxins.

2. The national reference laboratories shall collaborate with the Community reference laboratory referred to in Article 3.

Article 3

The laboratory of the 'Ministerio de Sanidad y Consumo' in Vigo is hereby designated as the Community reference laboratory for the monitoring of marine biotoxins.

Article 4

The Community reference laboratory shall be responsible for the following tasks :

- supplying information on analytical methods and comparative testing to the national reference laboratories,
- coordinating the application by the national reference laboratories of the methods referred to in the first indent, by organizing comparative testing in particular,
- coordinating the development of new analytical methods and informing the national reference laboratories of progress made in this area,

- organizing training and advanced courses for the staff of the national reference laboratories,
- collaborating with the laboratories responsible for analysing marine biotoxins in third countries,
- providing scientific and technical assistance to the Commission, especially in cases where the results of analyses are contested between Member States.

Article 5

The Community reference laboratory for marine biotoxins shall satisfy the following operating conditions ;

- that staff are qualified and have sufficient knowledge of the techniques applied in the analysis of marine biotoxins,
- that the equipment and substances necessary for carrying out the tasks laid down in Article 4 are available,
- that an appropriate administrative structure is in place,
- that the confidential nature of certain subjects, results and reports is observed by staff,
- that the principles of good laboratory practice accepted internationally are followed,
- that an up-to-date list of the reference substances held by the Community Bureau of References is available, along with an up to date list of the manufacturers and suppliers of these substances.

Article 6

This Decision is addressed to the Member States.

Done at Luxembourg, 14 June 1993.

For the Council

The President

B. WESTH

ANNEX

Belgium and Luxembourg:

- Institut d'hygiène et d'épidémiologie
Département microbiologie — Service bactériologie
Av. Juliette Vytsman 14-16
1050 Bruxelles — BELGIUM

Denmark:

- Fiskeriministeriet
Fiskerikontrollen
Dronningens Tværgade 21
P.O. Box 9050
DK-1022 Copenhagen K — DENMARK

Germany:

- Bundesgesundheitsamt (BGA)
Thielallee 88-92
D-1000 Berlin 33 — GERMANY

Greece:

- The Institute of Hygiene
Iese Odos 75 Botanikos
11855 Athens — GREECE

Spain:

- Laboratorio del Ministerio de Sanidad y Consumo
Unidad Administrativa de Vigo
Estación marítima s/n
36201 Vigo — SPAIN

France:

- Laboratoire central d'hygiène alimentaire
43, rue de Dantzig
75015 Paris — FRANCE

Ireland:

- Fisheries Research Centre
Abbotstown
Dublin 15 — IRELAND

Italy:

- Consorzio di studi, ricerche ed interventi sulle risorse marine
Viale Vespucci 2
47042 Cesenatico (FO) — ITALY

Netherlands:

- Postbus 1
Rijkinstituut voor Volksgezondheid en Milieuhygiëne (RIVM)
3720 BA Bilthoven — NETHERLANDS

Portugal:

- Laboratório do Instituto Nacional de Investigação das Pescas (INIP)
AV. Brasília s/n
1400 Lisbon — PORTUGAL

United Kingdom:

- Torry Research Station
PO Box 31, 135 Abbey Road
Aberdeen AB9 8DG UK — UNITED KINGDOM

COUNCIL DECISION

of 14 June 1993

amending Directive 80/217/EEC introducing Community measures for the control of classical swine fever

(93/384/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Directive 80/217/EEC ⁽⁴⁾ introduced Community measures for the control of classical swine fever;

Whereas the measures provided for in Directive 80/217/EEC require the harmonization of laboratory methods and procedures for diagnosing classical swine fever;

Whereas the antigens and various substances needed to make such diagnoses should have the same properties in all national laboratories;

Whereas the task of liaising between the laboratories responsible in the Member States for diagnosing classical swine fever was, by Council Decision 81/859/EEC of 19 October 1981 on the designation and operation of a liaison laboratory for classical swine fever ⁽⁵⁾, entrusted to the 'Institut für Virologie der Tierärztlichen Hochschule Hannover', Germany;

Whereas Article 5 of Decision 81/859/EEC restricted the task of liaising to a period of five years;

Whereas the duration of the measures established by Decision 81/859/EEC was extended for a further period of five years by Decision 87/65/EEC ⁽⁶⁾;

Whereas those measures will terminate in February 1993;

Whereas, in order to ensure the continuity of the coordination of the diagnostic work carried out under the

auspices of the competent national laboratories, a Community reference laboratory must be designated; whereas the powers and duties of the said laboratory must be laid down;

Whereas in the light of the experience gained, it is desirable to designate the 'Institut für Virologie der Tierärztlichen Hochschule, Hannover' as the Community reference laboratory, since this laboratory has for some years carried out the duties entrusted to it in an efficient manner;

Whereas Article 28 of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽⁷⁾, applied concerning Community aid to be granted to liaison and reference laboratories;

Whereas the conditions for the treatment of wild game meat coming from hunting areas subject to checks as a result of an epizootic situation are governed by Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat ⁽⁸⁾; whereas reference should be made to the provisions laid down in that Directive,

HAS ADOPTED THIS DECISION:

Article 1

Directive 80/217/EEC is hereby amended as follows:

1. Article 11 shall be amended as follows:

- the third indent of paragraph 1 shall be deleted;
- paragraph 2 shall be replaced by the following:

'2. The national laboratories referred to in the second indent of paragraph 1 shall liaise with the Community reference laboratory as mentioned in Annex VI. Without prejudice to the provisions of Decision 90/424/EEC, and in particular Article 28 thereof, the powers and duties of the laboratory shall be those appearing in the said Annex.'

⁽¹⁾ OJ No C 301, 18. 11. 1992, p. 13.

⁽²⁾ OJ No C 21, 25. 1. 1993, p. 502.

⁽³⁾ OJ No C 73, 15. 3. 1993, p. 28.

⁽⁴⁾ OJ No L 47, 21. 2. 1980, p. 11. Directive as last amended by Directive 91/685/EEC (OJ No L 377, 31. 12. 1991, p. 1).

⁽⁵⁾ OJ No L 319, 7. 11. 1981, p. 20.

⁽⁶⁾ OJ No L 34, 5. 2. 1987, p. 54.

⁽⁷⁾ OJ No L 224, 18. 8. 1990, p. 19. Decision as last amended by Directive 92/117/EEC (OJ No L 62, 15. 3. 1993, p. 38).

⁽⁸⁾ OJ No L 268, 14. 9. 1992, p. 35. Directive as amended by Directive 92/116/EEC (OJ No L 62, 15. 3. 1993, p. 1).

2. The following Annex shall be added :

immunology used to eradicate and control classical swine fever.

ANNEX VI

COMMUNITY REFERENCE LABORATORY FOR CLASSICAL SWINE FEVER

Name of laboratory :

Institut für Virologie
der Tierärztlichen Hochschule Hannover,
Bischofscholer Damm 15,
D-3000 Hannover 1,
Germany.

The functions and duties of the Community reference laboratory for classical swine fever shall be :

1. To coordinate, in consultation with the Commission, the methods employed in the Member States for diagnosing classical swine fever, specifically by :
 - (a) storing and supplying cell cultures for use in diagnosis ;
 - (b) typing, storing and supplying strains of classical swine fever virus for serological tests and the preparation of anti-sera ;
 - (c) supplying standardized sera, conjugate sera and other reference reagents to the national laboratories in order to standardize the tests and reagents employed in the Member States ;
 - (d) building up and holding a classical swine fever virus collection ;
 - (e) organizing periodic comparative tests of diagnostic procedures at Community level ;
 - (f) collecting and collating data and information on the methods of diagnosis used and the results of tests carried out ;
 - (g) characterizing isolates of the virus by the most up-to-date methods available to allow greater understanding of the epizootiology of classical swine fever ;
 - (h) keeping abreast of developments in classical swine fever surveillance, epizootiology and prevention throughout the world ;
 - (i) retaining expertise on the virus causing classical swine fever and other pertinent viruses to enable rapid differential diagnosis ;
 - (j) acquiring a thorough knowledge of the preparation and use of the products of veterinary

2. To make the necessary arrangements for training or re-training experts in laboratory diagnosis with a view to harmonizing diagnostic techniques.
3. To have trained personnel available for emergency situations occurring within the Community.
4. To perform research activities and whenever possible coordinate research activities directed towards an improved control of classical swine fever.'

Article 2

1. In Article 6a the following shall be added :

'2a. As soon as confirmation of infection in feral pigs has taken place, the competent authority shall furthermore arrange that all feral pigs shot or found dead in the defined infected area are examined for classical swine fever as provided for in Article 11 of this Directive. All animals found positive shall be treated as high-risk material as defined in Article 3 of Directive 90/667/EEC.'

2. Article 6a (5) (f) shall be replaced by :

'(f) the method of removal of feral pigs found dead or shot. In the first phase (eradication period) the removal shall be based on :

- (i) the treatment as defined for high-risk material within the framework of Council Directive 90/667/EEC, or
- (ii) inspection by official veterinarian and laboratory tests as provided for in Article 11 of this Directive. Where such testing proves negative as regards classical swine fever, Member States shall apply the measures laid down in Article 11 (2) of Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat (*). Parts not intended for human consumption shall be destroyed under supervision of the competent authority.

In the second phase (surveillance period) the removal shall be in accordance with the requirements laid down by the competent authority.

(*) OJ No L 268, 14. 9. 1992, p. 35. Directive as amended by Directive 92/116/EEC (OJ No L 63, 15. 3. 1993, p. 1).'

Article 3

This Decision is addressed to the Member States.

Done at Luxembourg, 14 June 1993.

For the Council

The President

B. WESTH

COUNCIL DECISION

of 14 June 1993

fixing the maximum amount eligible for expenditure on the employment of
trained agricultural advisers pursuant to Regulation (EEC) No 270/79

(93/385/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Council Regulation (EEC) No 270/79 of 6 February 1979 on the development of agricultural advisory services in Italy ⁽³⁾ provided for the financing of measures relating to agricultural advisory services in Italy through the European Agricultural Guidance and Guarantee Fund, Guidance Section, hereinafter called the 'Fund';

Whereas the Italian Republic has submitted an outline plan of agricultural advisory work; whereas this plan has been adopted by the Commission;

Whereas the Fund reimburses Italy its expenditure on the employment of agricultural advisors; whereas the aforementioned Regulation fixes the maximum amount eligible per trained adviser;

Whereas the Italian Republic has requested an adjustment of the maximum eligible, as from 1 July 1990, in order to take account of the increase in wages; whereas this amount should be adjusted as a result,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount eligible per trained adviser, as provided for in Article 11 (3) of Regulation (EEC) No 270/79, shall be ECU 25 000.

Article 2

This Decision shall apply to expenditure incurred from 1 July 1990 onwards.

Article 3

This Decision is addressed to the Italian Republic.

Done at Luxembourg, 14 June 1993.

*For the Council**The President*

B. WESTH

⁽¹⁾ OJ No C 79, 20. 3. 1993, p. 6.

⁽²⁾ Opinion delivered on 28 May 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No L 38, 14. 2. 1979, p. 6. Regulation as last amended by Regulation (EEC) No 1760/87 (OJ No L 167, 26. 6. 1987, p. 1).

COUNCIL DECISION

of 14 June 1993

amending Decision 88/408/EEC on the levels of the fees to be charged for health inspections and controls of fresh meat, pursuant to Directive 85/73/EEC

(93/386/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 85/73/EEC of 29 January 1985 on the financing of health inspections and controls of fresh meat and poultrymeat⁽¹⁾, and in particular Article 2 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Decision 88/408/EEC⁽²⁾ imposes time limits on the application of some of those provisions;

Whereas the application of the abovementioned provisions should be extended until 30 September 1993 so that an in-depth study can be made of all the arrangements relating to fees; whereas reference should be made in this respect to the proposal for a Council Directive amending Directive 85/73/EEC⁽³⁾ and Directive 92/116/EEC of 17 December 1992 amending and consolidating Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat⁽⁴⁾;

Whereas certain provisions of Decision 88/408/EEC should be amended as a result of the adoption of Directive 91/497/EEC of 29 July 1991 amending and updating Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat to extend it to the production and marketing of fresh meat, and amending Directive 72/462/EEC⁽⁵⁾, and Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽⁶⁾;

Whereas it appears necessary to derogate temporarily from the rules for conversion into national currencies of the amounts set in ecus because of turbulence in the European Monetary System,

HAS ADOPTED THIS DECISION:

Article 1

Decision 88/408/EEC shall be amended as follows:

1. in Article 2 (3), the part of the sentence which reads: 'Pending the review of the inspection rules laid down by Directive 71/118/EEC and until 31 December 1992' is hereby replaced by: 'Until 30 September 1993, and without prejudice to invoking the possibility offered by Article 2 (2) of Directive 85/73/EEC.';
2. in Article 2 (4), the part of the sentence which reads: 'Until 31 December 1992' is hereby replaced by: 'Until 30 September 1993';
3. in Article 2 (5), the part of the sentence which reads: 'Until 31 December 1992' is hereby replaced by: 'Until 30 September 1993';
4. in Article 5 (1), the last sentence shall be deleted;
5. in Article 5 (2), the second subparagraph shall be replaced by the following:

'As part of the checks laid down in Article 12 of Directive 64/433/EEC, the Commission may, by random spot checks, verify whether the granting of the exemptions laid down in Article 2 (2) of this Decision does not compromise the effective application of the rules laid down by the said Directive.';
6. in Article 7, the terms 'provided for in Article 9 of Directive 64/433/EEC' shall be replaced by 'provided for in Article 12 of Directive 64/433/EEC';
7. in Article 9, add the following paragraph:

'However, for the period from 1 January 1993 to 31 December 1993, Member States whose currencies have significantly depreciated against the ecu since 1 September 1992 may continue to apply the rates obtaining on that date.'

(¹) OJ No L 32, 5. 2. 1985, p. 14. Directive as last amended by Directive 88/409/EEC (OJ No L 194, 22. 7. 1988, p. 28).

(²) OJ No L 194, 22. 7. 1988, p. 24.

(³) OJ No C 325, 14. 12. 1991, p. 21.

(⁴) OJ No L 62, 15. 3. 1993, p. 1.

(⁵) OJ No L 268, 24. 9. 1991, p. 69. Directive as amended by Directive 92/5/EEC (OJ No L 57, 2. 3. 1992, p. 1).

(⁶) OJ No L 373, 31. 12. 1990, p. 1. Directive as amended by Directive 92/438/EEC (OJ No L 343, 25. 8. 1992, p. 27).

Article 2

This Decision is addressed to the Member States.

Done at Luxembourg, 14 June 1993.

For the Council

The President

B. WESTH

COMMISSION

COMMISSION DECISION

of 7 June 1993

laying down special conditions for the import of live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Morocco

(93/387/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and placing on the market of live bivalve molluscs⁽¹⁾, and in particular Article 9 thereof,

Whereas a visiting group of Commission experts has conducted an inspection in Morocco to verify the conditions under which live bivalve molluscs, echinoderms, tunicates and marine gastropods are produced and placed on the market;

Whereas Moroccan legislation makes veterinary inspectors, assisted by technical assistants from the Direction de l'élevage (Animal Husbandry Directorate) of the Ministry for Agriculture and Agrarian Reform, responsible for inspecting the health of live bivalve molluscs, echinoderms, tunicates and marine gastropods and monitoring the hygiene and sanitary conditions of production; whereas the same legislation empowers the Ministry of Fisheries to authorize or prohibit the harvesting of bivalve molluscs, echinoderms, tunicates and marine gastropods from certain zones on the basis of a report from the animal Husbandry Directorate and the Scientific Institute for Maritime Fisheries;

Whereas provision is made under prevailing Moroccan legislation for the systematic inspection for biotoxins of live bivalve molluscs placed on the market;

Whereas the Animal Husbandry Directorate and its laboratories are capable of monitoring efficiently the application of the laws in force in Morocco;

Whereas the competent Moroccan authorities have undertaken to communicate regularly and quickly to the

Commission data on the presence of plankton containing toxins in the harvest zones;

Whereas the competent Moroccan authorities have given official assurances regarding compliance with the requirements specified in Chapter V of the Annex to Directive 91/492/EEC and compliance with requirements equivalent to those set out in that Directive for the classification of production zones and relaying zones, for the approval of centres for dispatch and purification, and for public health control and production monitoring; whereas in particular any possible change in harvesting zones will be communicated to the Community;

Whereas Morocco is eligible for inclusion in the list, referred to in Article 9 (3) (a) of Directive 91/492/EEC, showing the third countries fulfilling the conditions of equivalence;

Whereas the procedure for obtaining a health certificate referred to in Article 9 (3) (b) (i) of the aforesaid Directive must entail the definition of a model certificate, the language(s) in which it must be drawn up, the formal capacity of the signatory and the health mark to be affixed to the packaging;

Whereas, in accordance with Article 9 (3) (b) (ii) of the aforesaid Directive, the production areas from which bivalve molluscs, echinoderms, tunicates and marine gastropods may be harvested and exported to the Community must be defined;

Whereas, in accordance with Article 9 (3) (c) of the aforesaid Directive, a list of the establishments from which the importation of bivalve molluscs, echinoderms, tunicates and marine gastropods is authorized should be established; whereas such establishments may appear on the list only if they are officially approved by the competent Moroccan authorities; whereas it is the duty of the competent Moroccan authorities to ensure that the requirements laid down to that end in that provision are complied with;

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 1.

Whereas the special import conditions apply without prejudice to decisions taken pursuant to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products⁽¹⁾;

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

HAS ADOPTED THIS DECISION :

Article 1

The Direction de l'élevage (Animal Husbandry Directorate) of the Ministry for Agriculture and Agrarian Reform shall be the competent authority in Morocco for verifying and certifying that live bivalve molluscs, echinoderms, tunicates and marine gastropods fulfil the requirements of Directive 91/492/EEC.

Article 2

Live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Morocco and intended for human consumption must meet the following conditions :

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed and dated, consisting of a single sheet in accordance with the model in Annex A hereto ;
2. consignments must originate in the authorized production areas listed in Annex B hereto ;

3. they must be packed in sealed packages by an approved dispatch or purification centre included in the list in Annex C hereto ;
4. each package must bear an indelible health mark containing at least the following information :
 - country of dispatch : MOROCCO ;
 - the species (common and scientific names),
 - the identification of the production area and the approval number of the dispatch centre,
 - the date of packing, including at least the day and month.

Article 3

1. Certificates as referred to in Article 2 (1) must be drawn up in at least one official language of the Member State in which the check is carried out.
2. Certificates must bear the name, capacity and signature of the veterinarian of the Direction de l'élevage and its official seal, in a colour different from that of other endorsements marked thereon.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 7 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 1.

ANNEX A

HEALTH CERTIFICATE

covering live

— bivalve molluscs ⁽¹⁾— echinoderms ⁽¹⁾— tunicates ⁽¹⁾— marine gastropods ⁽¹⁾

originating in Morocco and intended for human consumption in the European Economic Community

Reference No :

Country of dispatch : Morocco

Competent authority : 'Ministère de l'agriculture et de la réforme agraire, direction de l'élevage'

I. Details identifying the products

— Species (scientific name) :

— Code No (where available) :

— Type of packaging :

— Number of packages :

— Net weight :

— Analysis report number (where available) :

II. Origin of products

— Authorized production area :

— Name and official approval number :

— of dispatch centre ⁽¹⁾ :— of purification centre ⁽¹⁾ :

III. Destination of products

The products are dispatched

from :
(Place of dispatch)to :
(Country and place of destination)

by the following means of transport :

Name and address of consignor :

.....

.....

Name of consignee and address at place of destination :

.....

.....

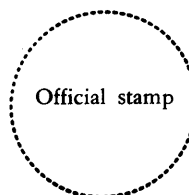
⁽¹⁾ Delete where inapplicable.

IV. Health attestation

The official inspector hereby certifies that the live products specified above :

1. were harvested, where necessary relaid, and transported in accordance with the health rules laid down in Chapters I, II and III of the Annex to Council Directive 91/492/EEC ;
2. were handled, where necessary purified, and packaged in accordance with the health rules laid down in Chapter IV of the Annex to Directive 91/492/EEC ;
3. have undergone controls in accordance with Chapter VI of the Annex to Directive 91/492/EEC ;
4. are :
 - in compliance with Chapter V of the Annex to Directive 91/492/EEC and therefore fit for immediate human consumption ⁽¹⁾,
 - intended for purification in the purification centre specified in point II above ⁽¹⁾.

Done at on
(Place) (Date)



.....
(Signature of official inspector)

.....
(Name in capitals, capacity and qualifications of person signing)

⁽¹⁾ Delete where inapplicable.

ANNEX B**PRODUCTION ZONES AUTHORIZED FOR THE EXPORT OF PRODUCTS FROM MOROCCO TO THE EUROPEAN ECONOMIC COMMUNITY****I. Production areas fulfilling the requirements laid down in chapter I(1)(a) of the Annex to Council Directive 91/492/EEC**

Geographical boundaries	Code number
<i>Mediterranean</i>	
Nador lagoon (excluding the Nador urban area)	25
Coastal zone situated at Essaidia	02
<i>Atlantic</i>	
Mouth of the Oued Tahadart	42
Moulay Bouselham lagoon	18
Sidi Moussa lagoon and Oualidia lagoon	10
Bay of Dakhla (excluding urban and harbour areas)	27

II. Production areas fulfilling the requirements laid down in chapter I(1)(b) of the Annex to Council Directive 91/492/EEC**ANNEX C****LIST OF ESTABLISHMENTS APPROVED FOR EXPORT TO THE EUROPEAN COMMUNITY****I. Dispatch establishments**

Name and address	Approval number
Najmat Allah, Nador	01-10-065
Marost, Nador	01-10-066

II. Purification establishments

Name and address	Approval number

COMMISSION DECISION

of 9 June 1993

terminating the examination procedure concerning illicit commercial practices within the meaning of Council Regulation (EEC) No 2641/84 consisting of the imposition in Japan of a port charge or fee used for the creation of a Harbour Management Fund

(93/388/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2641/84 of 17 September 1984 on the strengthening of the common commercial policy with regard in particular to protection against illicit commercial practices⁽¹⁾, and in particular Article 9 thereof,

After consultation within the Advisory Committee in accordance with the abovementioned Regulation.

Whereas :

- (1) On 9 March 1992, the Commission decided to suspend⁽²⁾ the examination procedure under Regulation (EEC) No 2641/84⁽³⁾ which it had been conducting since 16 February 1991 into the matter of the Japanese Harbour Management Fund.
- (2) This suspension was justified by formal assurances which the Commission had received from the Japanese Government that the Harbour Management Fund would be discontinued after 31 March 1992, that it would not continue in a different guise, and that the views of foreign shipping lines regarding the utilization of the money collected and not yet disbursed would be adequately reflected. The suspension would be reviewed by the Commission once sufficient time had elapsed after the discontinuation of the Harbour Management Fund to give a reasonable guarantee that the scheme would not be re-introduced in a different form.

- (3) Since then, the Commission has determined that the Japanese Harbour Management Fund was effectively discontinued on 31 March 1992, that it has not been continued in a different guise and, finally, that the money collected and not yet disbursed has been used for projects of some benefit to Community shipping lines. Given the amount of time that has expired since the suspension of the examination procedure, the Commission considers it to be in the Community interest that the examination procedure now be terminated.
- (4) The Commission has informed the complainant and the Japanese Government of its conclusions and the principal underlying facts and,

HAS DECIDED AS FOLLOWS :

Sole Article

The examination procedure concerning illicit commercial practices within the meaning of Regulation (EEC) No 2641/84 consisting to the imposition in Japan of a port charge or fee for the creation of the Harbour Management Fund is herewith terminated.

Done at Brussels, 9 June 1993.

For the Commission

Leon BRITTAN

Member of the Commission

⁽¹⁾ OJ No L 252, 20. 9. 1984, p. 1.

⁽²⁾ For the suspension, see OJ No L 74, 20. 3. 1992, p. 47.

⁽³⁾ For the initiation, see OJ No C 40, 16. 2. 1991, p. 18. The examination procedure was extended in OJ No C 287, 5. 11. 1991, p. 5.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1702/93 of 30 June 1993 fixing the agricultural conversion rates

(Official Journal of the European Communities No L 159 of 1 July 1993)

On page 60 in Annex II:

— in Table A:

for: 'ECU 1 = 305,788 Greek drachmas',
read: 'ECU 1 = 306,788 Greek drachmas';

— in Table B:

for: 'ECU 1 = 352,384 Greek drachmas',
read: 'ECU 1 = 332,354 Greek drachmas'.
