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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 2104/93**  
**of 22 July 1993**  
**amending Regulation (EEC) No 1382/91 on the submission of data on the**  
**landings of fishery products in Member States**

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 <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas, with the creation of the European Economic Area (EEA), the management of the market in fishery products would be enhanced by the existence of harmonized statistics on the landings of fishery products in all countries of the EEA;

Whereas, in Annex XXI.25 to the Agreement on the European Economic Area, the member countries of the European Free Trade Association (EFTA) have undertaken to submit to the Commission monthly data on the landings of fishery products in those countries by Community and EFTA vessels and, on an optimal basis, by vessels of third countries, starting at the latest in January 1995;

Whereas the need for harmonized statistics requires that the data submitted by the Community Member States under the provisions of Regulation (EEC) No 1382/91 <sup>(3)</sup> should be extended to include submissions of data on landings by EFTA vessels and, on an optional basis, by vessels of third countries;

Whereas the additional data required are generally already collected and processed by the competent authorities in Community Member States;

Whereas, in the course of implementing Regulation (EEC) No 1382/91, certain minor discrepancies have

come to light in the identification of the products for which data are required and it is desirable to introduce a harmonized format for the submission of data on magnetic media,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 of Regulation (EEC) No 1382/91 shall be replaced by the following:

*Article 1*

Each Member State shall submit to the Commission data on the quantity and average price of fishery products landed by Community fishing vessels and by EFTA vessels in each calendar month in its territory taking due account of Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities <sup>(\*)</sup>.

For the purposes of this Regulation, "landings of fishery products" shall be:

- the products discharged by fishing vessels or other components of the fishing fleet,
- the products discharged by vessels of Member States in non-Community ports and covered by Document T2M annexed to Commission Regulation (EEC) No 137/79 <sup>(\*\*)</sup>, and
- the products transhipped to vessels of third countries from Community fishing vessels and other components of the Community fishing fleet within the territory of that Member State.

The Member States shall ensure that, except where derogations are granted in accordance with Article 5 (4), the data submitted shall cover all landings of the fishery products listed in Annex I in that calendar month. However, sampling techniques may be used to

<sup>(1)</sup> OJ No C 84, 25. 3. 1993, p. 6.

<sup>(2)</sup> OJ No C 150, 31. 5. 1993.

<sup>(3)</sup> OJ No L 133, 28. 5. 1991, p. 1.

estimate up to 10 % by weight of the fishery products landed in that month. These sampling techniques shall be reported under the provisions of Articles 5 (1) and 5 (2).

(\*) OJ No L 151, 15. 6. 1990, p. 1.

(\*\*) OJ No L 20, 27. 1. 1979, p. 1. Regulation as last amended by Regulation (EEC) No 3399/91 (OJ No L 320, 22. 11. 1991, p. 19).'

#### *Article 2*

Article 4 of Regulation (EEC) No 1382/91 shall be replaced by the following:

#### *Article 4*

1. Member States shall fulfil their obligations to the Commission pursuant to Articles 1 and 2 by submitting the data on magnetic media, the format of which is given in Annex IV.

2. Where Member States experience difficulty in submitting the data on magnetic medium, the data shall be submitted to the Commission in the form shown in Annex III.'

#### *Article 3*

Annexes I, II and III to Regulation (EEC) No 1382/91 shall be replaced by the Annexes appearing in Annex A to this Regulation.

Annex IV appearing in Annex B to this Regulation shall be added to Regulation (EEC) No 1382/91.

#### *Article 4*

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

It shall apply with effect from 1 January 1994.

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

Done at Brussels, 22 July 1993.

*For the Council*

*The President*

M. OFFECIERS-VAN DE WIELE

## ANNEX A

## ANNEX I

## LIST OF FISHERY PRODUCTS FOR WHICH DATA SUBMISSIONS ARE REQUIRED

Code	Species	Presentation
CDZ	Cod ( <i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i> )	Fresh whole Fresh gutted Frozen unfileted Frozen fillets Salted
HAD	Haddock ( <i>Melanogrammus aeglefinus</i> )	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
POK	Saithe (Coalfish) ( <i>Pollachius virens</i> )	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
HKE	Hake ( <i>Merluccius</i> spp.)	Fresh whole Fresh gutted Frozen whole Frozen headed and gutted Frozen fillets Frozen, other
WHG	Whiting ( <i>Merlangius merlangus</i> )	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
LNZ	Ling ( <i>Molva</i> spp.)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
POL	Pollack ( <i>Pollachius pollachius</i> )	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
BIB	Pouting ( <i>Trisopterus luscus</i> )	Fresh
NOP	Norway pout ( <i>Trisopterus esmarkii</i> )	Fresh
WHB	Blue whiting ( <i>Micromesistius poutassou</i> )	Fresh
PLE	Plaice ( <i>Pleuronectes platessa</i> )	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
SOL	Sole ( <i>Solea vulgaris</i> )	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
MEG	Megrim ( <i>Lepidorhombus</i> spp.)	Fresh Frozen unfileted
DAB	Dab ( <i>Limanda limanda</i> )	Fresh Frozen
LEM	Lemon sole ( <i>Microstomus kitt</i> )	Fresh Frozen

Code	Species	Presentation
RED	Redfish ( <i>Sebastes</i> spp.)	Fresh Frozen unfiletated Frozen fillets
MNZ	Monkfish ( <i>Lophius</i> spp.)	Fresh whole Fresh tails Frozen tails
BOZ	Bogue ( <i>Boops</i> spp.)	Fresh Frozen
PIC	Picarel ( <i>Spicara (= Maena)</i> spp.)	Fresh Frozen
CGZ	Conger eel ( <i>Conger</i> spp.)	Fresh Frozen
GUX	Gurnard ( <i>Triglidae</i> )	Fresh Frozen
MUL	Mullet ( <i>Mugilidae</i> )	Fresh Frozen
HER	Herring ( <i>Clupea harengus</i> )	Fresh Frozen unfiletated Frozen fillets
PIL	Sardine ( <i>Sardina pilchardus</i> )	Fresh Frozen
ANE	Anchovy ( <i>Engraulis encrasicolus</i> )	Fresh Frozen
SPR	Sprat ( <i>Sprattus sprattus</i> )	Fresh
ALB	Albacore ( <i>Thunnus alalunga</i> )	Fresh Frozen
YFT	Yellowfin tuna ( <i>Thunnus albacares</i> )	Fresh Frozen
SKJ	Skipjack tuna ( <i>Katsuwonus pelamis</i> )	Fresh Frozen
BET	Big-eye tuna ( <i>Thunnus obesus</i> )	Fresh Frozen
BFT	Bluefin tuna ( <i>Thunnus thynnus</i> )	Fresh Frozen
SWO	Swordfish ( <i>Xipbias gladius</i> )	Fresh Frozen
TUN	Other tuna ( <i>Thunnini</i> )	Fresh Frozen
MAC	Atlantic mackerel ( <i>Scomber scombrus</i> )	Fresh Frozen
MAZ	Other mackerel ( <i>Scomber japonicus</i> )	Fresh Frozen
JAX	Horse mackerel ( <i>Trachurus</i> spp.)	Fresh Frozen
SRX	Skate and ray ( <i>Rajiformas</i> )	Fresh Frozen
DGZ	Dogfish ( <i>Squalus acanthias, Scyliorbinus</i> spp.)	Fresh Frozen
NEP	Norway lobster ( <i>Nephrops norvegicus</i> )	Fresh whole Fresh tails Frozen tails
CNZ	Shrimps ( <i>Crangon</i> spp.)	Fresh Frozen

Code	Species	Presentation
PDZ	Prawns ( <i>Pandalidae</i> )	Fresh Frozen
CRE	Edible crab ( <i>Cancer pagurus</i> )	Fresh Frozen
CRS	Swimcrab ( <i>Portunus</i> spp.)	Fresh
LBE	European lobster ( <i>Homarus gammarus</i> )	Fresh Frozen tails
SCE	Common scallop ( <i>Pecten maximus</i> )	Fresh
SQC	Common squid ( <i>Loligo</i> spp.)	Fresh Frozen, not cleaned Frozen, cleaned
SQX	Shortfin and flying squid ( <i>Todarodes sagittatus</i> , <i>Illex</i> spp.)	Fresh Frozen, not cleaned Frozen, cleaned
OMZ	Squid (other) ( <i>Omnastrephidae</i> )	Fresh Frozen, not cleaned Frozen, cleaned
OCZ	Octopus ( <i>Octopus</i> spp.)	Fresh Frozen
CTL	Cuttlefish ( <i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola rondeleti</i> )	Fresh Frozen
FIN	Other finfish	Fresh Frozen
CRU	Other crustaceans	Fresh Frozen
MOL	Other molluscs	Fresh Frozen

## ANNEX II

## DEFINITIONS TO BE USED IN THE SUBMISSION OF DATA ON LANDINGS OF FISHERY PRODUCTS

**Units**

*Weight*: The weight recorded shall be the weight of the product as landed.

The weight should be recorded in tonnes with one place of decimals.

*Average price*: The average price is to be reported in national currency per tonne. For products not immediately sold the average price should be estimated, using an appropriate method.

**Destination**

*Human consumption*: Included here are all products which are sold at first sale for human consumption or which are landed under contract or other agreement for human consumption. Excluded are quantities destined for human consumption but which, at the moment of first sale, due to market conditions, hygiene regulations or similar causes, are withdrawn from the market for human consumption.

*Industrial uses*: Included here are all products specifically landed for reduction to meal and oil or for consumption by animals plus quantities which, although originally destined for human consumption, are not sold for this purpose at first sale.

**Presentation**

*Fillets* refers to strips of flesh cut parallel to the backbone of the fish and consisting of the right or left side of the fish, provided that the head, viscera, fins (dorsal, anal, caudal, ventral, pectoral) and bones (vertebrae or large backbone, ventral or costal, bronchial or stirrup bones, etc.) have been removed and the two sides are not connected, for example by the back or stomach.

*Whole fish* refers to ungutted fish.

*Cleaned* refers to squid where the arms, head and internal organs have been removed from the body.

*Frozen fish* are fish that have been subjected to freezing in a manner to preserve the inherent quality of the fish by reducing the average temperature to  $-18^{\circ}\text{C}$  or lower and which are then kept at a temperature of  $-18^{\circ}\text{C}$  or lower.

*Fresh fish* are fish that have not been preserved, cured, frozen or otherwise treated other than chilled. They are generally presented whole or gutted.

*Salted fish* are fish often in gutted and headed form, that are preserved in salt or brine.

**Nationality and coverage**

The data are to include all products landed by Community and EFTA fishing vessels in ports of the reporting Member State. The reporting Member State is not required, under the provisions of this Regulation, to report the landings of its vessels in ports other than the national ports.

The data are to include products discharged within the territory of the Member State and covered by document T2M referred to in Commission Regulation (EEC) No 137/79. Also to be included are products transhipped to vessels of third countries from Community and EFTA fishing vessels and other components of the Community and EFTA fishing fleet and which are discharged within the territory of that Member State.

*Community vessels* are vessels flying the flag of, or registered in, a Community Member State.

*EFTA vessels* are vessels flying the flag of, or registered in, a member country of EFTA.

Third country vessels are vessels flying the flag, or registered in, a country other than those member countries of the Community or of EFTA.

ANNEX III

FORMAT FOR THE SUBMISSION OF DATA PURSUANT TO ARTICLE 1

LANDING STATISTICS

Landings for the month of ..... 19.. Country .....

Species	Community vessels		EFTA vessels		Third countries vessels (!)	
	Quantity	Price	Quantity	Price	Quantity	Price
<b>For human consumption :</b>						
<b>Cod (CDZ)</b>						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
Salted						
<b>Haddock (HAD)</b>						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
<b>Saithe (POK)</b>						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
<b>Hake (HKE)</b>						
Fresh whole						
Fresh gutted						
Frozen whole						
Frozen fillets						
Frozen gutted & headed						
Frozen, other						
<b>Whiting (WHG)</b>						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
<b>Ling (LNZ)</b>						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
<b>Pollack (POL)</b>						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
<b>Plaice (PLE)</b>						
Fresh whole						
Fresh gutted						
Frozen whole						
Frozen fillets						

(!) Optional.

Species	Community vessels		EFTA vessels		Third countries vessels (1)	
	Quantity	Price	Quantity	Price	Quantity	Price
Sole (SOL)						
Fresh whole						
Fresh gutted						
Frozen whole						
Frozen fillets						
Megrim (MEG)						
Fresh						
Frozen						
Dab (DAB)						
Fresh						
Frozen						
Lemon sole (LEM)						
Fresh						
Frozen						
Redfish (RED)						
Fresh						
Frozen whole						
Frozen fillets						
Monkfish (MNZ)						
Fresh whole						
Fresh tails						
Frozen tails						
Bogue (BOZ)						
Fresh						
Frozen						
Picarel (PIC)						
Fresh						
Frozen						
Conger eel (CGZ)						
Fresh						
Frozen						
Gurnard (GUX)						
Fresh						
Frozen						
Mullet (MUL)						
Fresh						
Frozen						
Herring (HER)						
Fresh						
Frozen whole						
Frozen fillets						
Sardine (PIL)						
Fresh						
Frozen						
Anchovy (ANE)						
Fresh						
Frozen						

(1) Optional.

Species	Community vessels		EFTA vessels		Third countries vessels (!)	
	Quantity	Price	Quantity	Price	Quantity	Price
Albacore (ALB)						
Fresh						
Frozen						
Yellowfin tuna (YFT)						
Fresh						
Frozen						
Skipjack tuna (SKJ)						
Fresh						
Frozen						
Bigeye tuna (BET)						
Fresh						
Frozen						
Bluefin tuna (BFT)						
Fresh						
Frozen						
Swordfish (SWO)						
Fresh						
Frozen						
Other tuna (TUN)						
Fresh						
Frozen						
Atlantic mackerel (MAC)						
Fresh						
Frozen						
Other mackerel (MAZ)						
Fresh						
Frozen						
Horse mackerel (JAX)						
Fresh						
Frozen						
Skate and ray (SRX)						
Fresh						
Frozen						
Dogfish (DGZ)						
Fresh						
Frozen						
Norway lobster (NEP)						
Fresh whole						
Fresh tails						
Frozen tails						
Shrimps (CNZ)						
Fresh						
Frozen						
Prawns (PDZ)						
Fresh						
Frozen						
Edible crab (CRE)						
Fresh						
Frozen						

(!) Optional.

Species	Community vessels		EFTA vessels		Third countries vessels (!)	
	Quantity	Price	Quantity	Price	Quantity	Price
Swimcrab (CRS)						
Fresh						
European lobster (LBE)						
Fresh						
Frozen tails						
Common scallop (SCE)						
Fresh						
Common squid (SQC)						
Fresh						
Frozen clean						
Frozen not clean						
Shortfin and Flying squid (SQX)						
Fresh						
Frozen clean						
Frozen not clean						
Squid (other) (OMZ)						
Fresh						
Frozen clean						
Frozen not clean						
Octopus (OCZ)						
Fresh						
Frozen						
Cuttlefish (CTL)						
Fresh						
Frozen						
Other fish (FIN)						
Fresh						
Frozen						
Other molluscs (MOL)						
Fresh						
Frozen						
Other crustaceans (CRU)						
Fresh						
Frozen						
<b>For industrial uses :</b>						
Cod (CDZ)						
Haddock (HAD)						
Saithe (POK)						
Whiting (WHG)						
Pouting (BIB)						
Norway pout (NOP)						
Blue whiting (WHB)						
Herring (HER)						
Sprat (SPA)						
Other species						

(!) Optional.

## ANNEX B

## ANNEX IV

## FORMAT FOR THE SUBMISSION OF DATA ON MAGNETIC MEDIA

## 1. Magnetic media

*Computer tapes*: Nine track with a density of 1 600 or 6 250 BPI and EDCDIC or ASCII coding, preferably labelled. If labelled, an end-of-file code should be included.

*Floppy discs*: MS-DOS formatted 3,5" 720 Kbyte or 1,4 Mbyte or 5,25" 360 Kbyte or 1,2 Mbyte discs.

## 2. Coding format

Byte Nos	Item	Remarks
1 to 4	Country	ISO 3-alpha code (e.g. FRA = France)
5 to 6	Year	Example: 94 = 1994
7 to 8	Month	Example: 01 = January
9 to 11	Species	3-alpha identifier (e.g. CDZ = cod)
12 to 13	Presentation	See list of codes below
14	Destination	See list of codes below
15 to 25	Quantity	Tonnes with one decimal
26 to 36	Average price	National currency/tonne
37	Nationality code	See note below

*Note:*

- (a) All numeric fields should be right adjusted with leading blanks. All alpha-numeric fields should be left adjusted with trailing blanks.
- (b) The weight recorded shall be the weight landed.
- (c) Quantities of less than 50 kg shall be recorded as '0 0'.

## 3. List of codes

(a) *Presentation codes*

Fresh	10
Fresh whole	11
Fresh gutted	12
Fresh tails	13
Fresh, gutted and headed	16
Fresh, other	19
Frozen	20
Frozen whole	21
Frozen gutted	22
Frozen tails	23
Frozen unfilleted	25
Frozen gutted and headed	26
Frozen clean	27
Frozen, not clean	28
Frozen, other	29
Salted	30
Smoked	40
Cooked	50
Cooked, frozen and packed	60

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(b) *Destination codes*

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Human consumption	1
Industrial uses	2
Use unknown	9

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(c) *Nationality code*

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EEC vessels	1
EFTA vessels	2
Third country vessels	3'

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## COUNCIL REGULATION (EEC) No 2105/93

of 22 July 1993

## opening and providing for the administration of a Community tariff quota for herring, fresh or chilled, originating in Sweden

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 Act of Accession of Spain and Portugal,

Having regard to the proposal from the Commission,

Whereas an Agreement between the European Economic Community and the Kingdom of Sweden was concluded on 22 July 1972<sup>(1)</sup>; whereas, following the accession of Spain and Portugal, an Agreement in the form of an exchange of letters was concluded between the European Economic Community and the Kingdom of Sweden on the agriculture and fisheries sector; whereas this Agreement approved by Decision 86/558/EEC<sup>(2)</sup>;

Whereas this Agreement provides for the opening, over a period to be determined by common accord, of a 20 000 tonne duty-free Community tariff quota for herring, fresh or chilled, whole, headless or in pieces, originating in Sweden; whereas, therefore, the tariff quota in question should be opened for the period 15 August 1993 to 14 February 1994;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up;

Whereas the decision for the opening, in the execution of its international obligations, of tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reasonable 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, all transactions concerning the administration of this quota may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 15 August 1993 to 14 February 1994 the Common Customs Tariff duty on the following products shall be suspended at the level and within the time limit of the Community tariff quota as shown herewith:

Order No	CN code ( <sup>1</sup> )	Description	Amount of quota (in tonnes)	Quota duty (%)
09.0615	ex 0302 40 90 ex 0304 10 93 ex 0304 10 98	Herring and meat of herring, fresh or chilled, originating in Sweden	20 000	0

(<sup>1</sup>) Taric codes: ex 0302 40 90 \* 40, ex 0304 10 93 \* 40, ex 0304 10 98 \* 17.

(<sup>1</sup>) OJ No L 300, 31. 12. 1972, p. 1.

(<sup>2</sup>) OJ No L 328, 22. 11. 1986, p. 89.

2. Imports of the products in question shall not benefit from the tariff quota referred to in paragraph 1 unless the free-at-frontier prices, which are determined by the Member States according to Article 22 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery products and aquaculture products<sup>(1)</sup>, are at least equal to the reference prices if such prices have been fixed or are to be fixed by the Community for the product under consideration or the levy of the products concerned. For the calculation of the reference price, the following coefficients shall be applicable:

- whole herring: 1,
- flaps of herring: 2,32,
- pieces of herring: 1,96.

3. The Protocol concerning the definition of the concept of originating products and on methods of administrative cooperation annexed to the Agreement between the European Economic Community and the Kingdom of Sweden shall apply.

#### *Article 2*

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

#### *Article 3*

If an importer presents, in a Member State, a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if this declaration is accepted by the customs

authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the quota amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

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

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission thereof.

#### *Article 4*

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

#### *Article 5*

Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

#### *Article 6*

This Regulation shall enter into force on 15 August 1993.

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

Done at Brussels, 22 July 1993.

*For the Council*

*The President*

M. OFFECIERS-VAN DE WIELE

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1. Regulation as amended by Regulation (EEC) No 697/93, (OJ No L 76, 30. 3. 1993, p. 12).

**COUNCIL REGULATION (EEC) No 2106/93**  
of 22 July 1993

**opening and providing for the administration of Community tariff quotas for certain agricultural and industrial products (third series 1993), and amending the Council Regulations (EEC) No 3913/92 and (EEC) No 3914/92, opening and providing for the administration of Community tariff quotas for certain agricultural, chemical and industrial products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas production in the Community of certain agricultural and industrial products will remain in the course of the second half of 1993 and of the first half of 1994, unable to meet the specific requirements of the user industries in the Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas Community tariff quotas at zero duty should therefore be opened within the limits of appropriate volumes for a period from 1 July 1993, and as appropriate, until 31 December 1993 or until 30 June 1994, taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas by Regulation (EEC) No 3913/92<sup>(1)</sup>, the Council opened, for 1993, Community tariff quotas for certain industrial products, and in particular ferro-chromium containing by weight more than 6% of carbon (order No 09.2711);

Whereas current economic data suggest that Community demand for non-Community imports of the product in question could in the course of the year exceed the volume laid down in the above Regulation; whereas the same is true of synthetic poly-alpha-olefin; whereas the volume of the quota in question should therefore be increased;

Whereas by Regulation (EEC) No 3914/92<sup>(2)</sup> the Council opened, for 1993, a Community tariff quota for certain types of mushroom;

Whereas the benefit of this quota should be extended to other import needs and the description of this quota should consequently be amended;

Whereas the decision for the opening of autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reasonable obstacle to authorizing the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas 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 it is necessary, in particular, to ensure for all Community imports equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

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, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 July and as appropriate until 31 December 1993 or 30 June 1994, the duties applicable to imports of the following products shall be suspended at the levels and up to the limits of the Community tariff quotas shown below:

<sup>(1)</sup> OJ No L 395, 31. 12. 1992, p. 8.

<sup>(2)</sup> OJ No L 395, 31. 12. 1992, p. 12.

Order No	CN code ( <sup>1</sup> )	Description	Amount of quota (in tonnes)	Quota duty (%)	Date of expiry
09.2701	ex 0301 92 00 ex 0302 66 00 ex 0303 76 00	Eels ( <i>Anguilla spp.</i> ), live, fresh, chilled or frozen, intended for processing by curing or skinning enterprises or for use in the industrial manufacture of products falling within CN code 1604 (a)	5 000	0	30. 6. 1994
09.2829	ex 3823 90 98	Solid extract of the residual insoluble in aliphatic solvents obtained during the extraction of rosin from wood, having the following characteristics : — a resin acid content by weight not exceeding 30 % — and acid number not exceeding 110 and — a melting point of not less than 100 °C	600	0	31. 12. 1993
09.2857	ex 2902 90 90	Diisopropylnaphtalene, mixed isomers	500	0	31. 12. 1993
09.2859	ex 2909 49 90	2,2 isopropylidene bis( <i>p</i> -phenyleneoxydiethanol) solid form	550	0	31. 12. 1993
09.2861	ex 2916 14 00	Isopropylidene-bis( <i>p</i> -phenoxyethyl) dimethylacrylate)	175	0	31. 12. 1993

(<sup>1</sup>) See Taric codes in the Annex.

(a) The end-use of this product will be monitored in accordance with the relevant Community provisions.

2. For order No 09.2711, the table in Article 1 (1) of Regulation (EEC) No 3913/92 is hereby replaced by the following table :

Order No	CN code	Description	Quota volume (tonnes)	Quota duty (%)	Quota period
09.2711	7202 41 90	Ferro-chromium containing by weight more than 6 % of carbon	550 000	0	from 1 January to 31 December 1992

3. For order No 09.2849, the table in Article 1 (1) of Regulation (EEC) No 3914/92 is hereby replaced by the following table :

Order No	CN code ( <sup>1</sup> )	Description	Quota volume (tonnes)	Quota duty (%)	Quota period
09.2849	ex 0710 80 60	Mushrooms of the species <i>Auricularia polytricha</i> steamed or boiled, cut into strips of a width of 6 mm or more but not more than 8 mm, for the manufacture of prepared meals (a)	410	0	from 1 January to 31 December 1993

(<sup>1</sup>) See Taric codes in Annex.

(a) Checks on use for this specific purpose shall be carried out under the relevant Community provisions.

*Article 2*

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

*Article 3*

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

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

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

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

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

*Article 4*

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

*Article 5*

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 seventh day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 22 July 1993.

*For the Council*

*The President*

M. OFFECIERS-VAN DE WIELE

## ANNEX

## Taric codes

Order No	CN codes	Taric codes
09.2701	ex 0301 92 00 ex 0302 66 00 ex 0303 76 00	0301 92 00*10 0302 66 00*10 0303 76 00*10
09.2829	ex 3823 90 98	3823 90 98*50
09.2849	ex 0710 80 60	0710 80 60*10
09.2857	ex 2902 90 90	2902 90 90*80
09.2859	ex 2909 49 90	2909 49 90*10
09.2861	ex 2916 14 00	2916 14 00*20

**COMMISSION REGULATION (EEC) No 2107/93**  
**of 30 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<sup>(1)</sup>, 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<sup>(2)</sup>,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93<sup>(3)</sup> and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 29 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 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(3)</sup> OJ No L 159, 1. 7. 1993, p. 8.

## ANNEX

## to the Commission Regulation of 30 July 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	(ECU/tonne)	
	Third countries (*)	
0709 90 60	131,15	( <sup>1</sup> )
0712 90 19	131,15	( <sup>1</sup> )
1001 10 00	152,73	( <sup>1</sup> )
1001 90 91	128,21	
1001 90 99	128,21	( <sup>2</sup> )
1002 00 00	135,78	( <sup>3</sup> )
1003 00 10	126,07	
1003 00 20	126,07	
1003 00 80	126,07	( <sup>4</sup> )
1004 00 00	76,87	
1005 10 90	131,15	( <sup>2</sup> )
1005 90 00	131,15	( <sup>1</sup> )
1007 00 90	137,08	( <sup>4</sup> )
1008 10 00	29,16	( <sup>5</sup> )
1008 20 00	80,65	( <sup>4</sup> )
1008 30 00	33,09	( <sup>6</sup> )
1008 90 10	( <sup>7</sup> )	
1008 90 90	33,09	
1101 00 00	206,24	( <sup>8</sup> )
1102 10 00	219,09	
1103 11 30	241,95	
1103 11 50	241,95	
1103 11 90	233,21	
1107 10 11	239,09	
1107 10 19	181,40	
1107 10 91	235,28	
1107 10 99	178,55	
1107 20 00	206,29	

(<sup>1</sup>) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(<sup>2</sup>) 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.

(<sup>3</sup>) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

(<sup>4</sup>) 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.

(<sup>5</sup>) 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.

(<sup>6</sup>) 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).

(<sup>7</sup>) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

(<sup>8</sup>) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(<sup>9</sup>) 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 2108/93****of 30 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<sup>(1)</sup>, 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<sup>(2)</sup>,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93<sup>(3)</sup> and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 29 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 the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(3)</sup> OJ No L 159, 1. 7. 1993, p. 11.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CN code	(ECU/tonne)			
	Current 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 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	0	0	0
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

CN code	(ECU/tonne)				
	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

**COMMISSION REGULATION (EEC) No 2109/93**  
**of 30 July 1993**  
**fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1544/93 <sup>(2)</sup>, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20

and 1006 30 <sup>(3)</sup>, as last amended by Regulation (EEC) No 674/91 <sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 764/93 <sup>(5)</sup>, as last amended by Regulation (EEC) No 1996/93 <sup>(6)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.  
<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.  
<sup>(4)</sup> OJ No L 75, 21. 3. 1991, p. 29.  
<sup>(5)</sup> OJ No L 79, 1. 4. 1993, p. 6.  
<sup>(6)</sup> OJ No L 182, 24. 7. 1993, p. 19.

## ANNEX

## to the Commission Regulation of 30 July 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Arrangement in Regulation (EEC) No 3877/86 <sup>(1)</sup>	Levies <sup>(2)</sup>	
		ACP Bangladesh ( <sup>(1)</sup> )( <sup>(3)</sup> )( <sup>(4)</sup> )	Third countries (except ACP) ( <sup>(5)</sup> )
1006 10 21	—	155,22	317,65
1006 10 23	—	163,96	335,13
1006 10 25	—	163,96	335,13
1006 10 27	251,35	163,96	335,13
1006 10 92	—	155,22	317,65
1006 10 94	—	163,96	335,13
1006 10 96	—	163,96	335,13
1006 10 98	251,35	163,96	335,13
1006 20 11	—	194,93	397,06
1006 20 13	—	205,85	418,91
1006 20 15	—	205,85	418,91
1006 20 17	314,18	208,85	418,91
1006 20 92	—	194,93	397,06
1006 20 94	—	205,85	418,91
1006 20 96	—	205,85	418,91
1006 20 98	314,18	205,85	418,91
1006 30 21	—	240,37	504,60
1006 30 23	—	311,94	647,65
1006 30 25	—	311,94	647,65
1006 30 27	485,74	311,94	647,65
1006 30 42	—	240,37	504,60
1006 30 44	—	311,94	647,65
1006 30 46	—	311,94	647,65
1006 30 48	485,74	311,94	647,65
1006 30 61	—	256,35	537,40
1006 30 63	—	334,79	694,29
1006 30 65	—	334,79	694,29
1006 30 67	520,72	334,79	694,29
1006 30 92	—	256,35	537,40
1006 30 94	—	334,79	694,29
1006 30 96	—	334,79	694,29
1006 30 98	520,72	334,79	694,29
1006 40 00	—	78,73	163,46

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

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

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

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

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

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

**COMMISSION REGULATION (EEC) No 2110/93****of 30 July 1993****fixing the premiums to be added to the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1544/93 <sup>(2)</sup>, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3862/92 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1997/93 <sup>(4)</sup>;

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 import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(3)</sup> OJ No L 390, 31. 12. 1992, p. 86.

<sup>(4)</sup> OJ No L 182, 24. 7. 1993, p. 21.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	<i>(ECU/tonne)</i>			
	Current 8	1st period 9	2nd period 10	3rd period 11
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

## COMMISSION REGULATION (EEC) No 2111/93

of 30 July 1993

## fixing the import levies on products processed from cereals and rice

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 1993 on the common organization of the market in cereals<sup>(1)</sup>, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(2)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(3)</sup>, and in particular Article 12 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Commission Regulation (EEC) No 1620/93 of 25 June 1993 on the import and export system for products processed from cereals and rice<sup>(4)</sup>, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals<sup>(5)</sup>, as last amended by Regulation (EEC) No 1740/78<sup>(6)</sup>, provides that the levy thus determined,

increased by the fixed component, is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States<sup>(7)</sup>, extended by Regulation (EEC) No 444/92<sup>(8)</sup>;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91<sup>(9)</sup>, as amended by Regulation (EEC) No 3714/92<sup>(10)</sup>, allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(11)</sup> no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries<sup>(12)</sup>, as last amended by Regulation (EEC) No 1028/93<sup>(13)</sup>, reduces by 50 % the levy or importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(4)</sup> OJ No L 155, 26. 6. 1993, p. 29.

<sup>(5)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(6)</sup> OJ No L 202, 26. 7. 1978, p. 8.

<sup>(7)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(8)</sup> OJ No L 52, 27. 2. 1992, p. 7.

<sup>(9)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(10)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(11)</sup> OJ No L 263, 19. 9. 1991, p. 1.

<sup>(12)</sup> OJ No L 370, 31. 12. 1990, p. 121.

<sup>(13)</sup> OJ No L 108, 1. 5. 1993, p. 1.

Whereas Council Regulations (EEC) No 518/92 <sup>(1)</sup>, (EEC) No 519/92 <sup>(2)</sup> and (EEC) No 520/92 <sup>(3)</sup> of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 585/92 <sup>(4)</sup>, as amended by Regulation (EEC) No 955/92 <sup>(5)</sup>, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals;

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries <sup>(6)</sup>, as last amended by Regulation (EEC) No 3909/92 <sup>(7)</sup>, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose <sup>(8)</sup>, as amended by Regulation (EEC) No 222/88 <sup>(9)</sup>, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 1766/92 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to

products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(10)</sup> 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 <sup>(11)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 56, 29. 2. 1992, p. 3.

<sup>(2)</sup> OJ No L 56, 29. 2. 1992, p. 6.

<sup>(3)</sup> OJ No L 56, 29. 2. 1992, p. 9.

<sup>(4)</sup> OJ No L 62, 7. 3. 1992, p. 40.

<sup>(5)</sup> OJ No L 102, 16. 4. 1992, p. 26.

<sup>(6)</sup> OJ No L 43, 13. 2. 1987, p. 9.

<sup>(7)</sup> OJ No L 394, 31. 12. 1992, p. 23.

<sup>(8)</sup> OJ No L 281, 1. 11. 1975, p. 20.

<sup>(9)</sup> OJ No L 28, 1. 2. 1988, p. 1.

<sup>(10)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(11)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

## to the Commission Regulation of 30 July 1993 fixing the import levies on products processed from cereals and rice

<i>(ECU/tonne)</i>			<i>(ECU/tonne)</i>		
CN code	Import levies (%)		CN code	Import levies (%)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
0714 10 10 <sup>(1)</sup>	122,33	128,98	1104 22 90	81,33	84,35
0714 10 91	125,96 <sup>(1)</sup> <sup>(7)</sup>	125,96	1104 23 10	212,45	215,47
0714 10 99	124,15	128,98	1104 23 30	212,45	215,47
0714 90 11	125,96 <sup>(1)</sup> <sup>(7)</sup>	125,96	1104 23 90	135,44	138,46
0714 90 19	124,15 <sup>(1)</sup>	128,98	1104 29 11	175,93	178,95
1102 20 10	239,00	245,04	1104 29 15	181,24	184,26
1102 20 90	135,44	138,46	1104 29 19	227,02	230,04
1102 30 00	174,16	177,18	1104 29 31	211,65	214,67
1102 90 10	226,73	232,77	1104 29 35	218,03	221,05
1102 90 30	143,52	149,56	1104 29 39	227,02	230,04
1102 90 90	144,73	147,75	1104 29 91	134,93	137,95
1103 12 00	143,52	149,56	1104 29 95	139,00	142,02
1103 13 10	239,00	245,04	1104 29 99	144,73	147,75
1103 13 90	135,44	138,46	1104 30 10	99,21	105,25
1103 14 00	174,16	177,18	1104 30 90	99,59	105,63
1103 19 10	245,29	251,33	1106 20 10	122,33 <sup>(1)</sup>	128,98
1103 19 30	226,73	232,77	1106 20 90	210,15 <sup>(1)</sup>	234,33
1103 19 90	144,73	147,75	1108 11 00	291,02	311,57
1103 21 00	238,10	244,14	1108 12 00	213,78	234,33
1103 29 10	245,29	251,33	1108 13 00	213,78	234,33 <sup>(6)</sup>
1103 29 20	226,73	232,77	1108 14 00	106,89	234,33
1103 29 30	143,52	149,56	1108 19 10	249,74	280,57
1103 29 40	239,00	245,04	1108 19 90	106,89 <sup>(1)</sup>	234,33
1103 29 50	174,16	177,18	1109 00 00	529,12	710,46
1103 29 90	144,73	147,75	1702 30 51	278,84	375,56
1104 11 10	128,48	131,50	1702 30 59	213,78	280,27
1104 11 90	251,92	257,96	1702 30 91	278,84	375,56
1104 12 10	81,33	84,35	1702 30 99	213,78	280,27
1104 12 90	159,47	165,51	1702 40 90	213,78	280,27
1104 19 10	238,10	244,14	1702 90 50	213,78	280,27
1104 19 30	245,29	251,33	1702 90 75	292,12	388,84
1104 19 50	239,00	245,04	1702 90 79	203,15	269,64
1104 19 91	295,74	301,78	2106 90 55	213,78	280,27
1104 19 99	255,40	261,44	2302 10 10	54,74	60,74
1104 21 10	201,54	204,56	2302 10 90	117,31	123,31
1104 21 30	201,54	204,56	2302 20 10	54,74	60,74
1104 21 50	314,90	320,94	2302 20 90	117,31	123,31
1104 21 90	128,48	131,50	2302 30 10	54,74 <sup>(6)</sup>	60,74
1104 22 10 10 <sup>(4)</sup>	81,33	84,35	2302 30 90	117,31 <sup>(6)</sup>	123,31
1104 22 10 90 <sup>(5)</sup>	143,52	146,54	2302 40 10	54,74	60,74
1104 22 30	143,52	146,54	2302 40 90	117,31	123,31
1104 22 50	127,58	130,60	2303 10 11	265,56	446,90

- 
- (<sup>1</sup>) 6 % *ad valorem*, subject to certain conditions.
- (<sup>2</sup>) In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.
- (<sup>3</sup>) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States :
- products falling within CN code ex 0714 10 91,
  - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
  - flours and meal of arrow-root falling within CN code 1106 20,
  - arrow-root starch falling within CN code 1108 19 90.
- (<sup>4</sup>) Taric code : clipped oats.
- (<sup>5</sup>) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (<sup>6</sup>) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
- (<sup>7</sup>) 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.
- (<sup>8</sup>) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
- (<sup>9</sup>) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.
- (<sup>10</sup>) Products falling within this code, imported from Poland, the Czech and Slovak Federal Republic 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 2112/93**  
**of 30 July 1993**  
**fixing the import levies on compound feedingstuffs**

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<sup>(1)</sup>, and in particular Article 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs<sup>(2)</sup> provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

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

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories<sup>(3)</sup>, extended by Regulation (EEC) No 444/92<sup>(4)</sup>;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(5)</sup>, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992<sup>(6)</sup>; whereas Commission Regulation (EEC) No 1267/93<sup>(7)</sup>, lays down detailed rules for the application of the import arrangements for these products originating in Sweden;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(8)</sup> 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<sup>(9)</sup>;

HAS ADOPTED THIS REGULATION :

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 August 1993.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 155, 26. 6. 1993, p. 24.

<sup>(3)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(4)</sup> OJ No L 52, 27. 2. 1992, p. 7.

<sup>(5)</sup> OJ No L 263, 19. 9. 1991, p. 1.

<sup>(6)</sup> OJ No L 109, 1. 5. 1993, p. 1.

<sup>(7)</sup> OJ No L 129, 27. 5. 1993, p. 14.

<sup>(8)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(9)</sup> 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, 30 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

*ANNEX*

to the Commission Regulation of 30 July 1993 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies (1)	
	ACP	Third countries (other than ACP)
2309 10 11	21,24	32,12 (2)
2309 10 13	498,99	509,87 (2)
2309 10 31	66,39	77,27 (2)
2309 10 33	544,14	555,02 (2)
2309 10 51	132,78	143,66 (2)
2309 10 53	610,53	621,41 (2)
2309 90 31	21,24	32,12
2309 90 33	498,99	509,87
2309 90 41	66,39	77,27
2309 90 43	544,14	555,02
2309 90 51	132,78	143,66
2309 90 53	610,53	621,41

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

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

**COMMISSION REGULATION (EEC) No 2113/93**

of 30 July 1993

**fixing the corrective amount applicable to the refund on cereals**

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<sup>(1)</sup>, and in particular Article 13 (4) thereof,

Whereas Article 13 (4) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Commission Regulation (EEC) No 1533/93<sup>(2)</sup>, laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals allows for the fixing of a corrective amount for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 2 of Regulation (EEC) No 1533/93;

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

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

Done at Brussels, 30 July 1993.

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(3)</sup> 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<sup>(4)</sup>;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.  
<sup>(2)</sup> OJ No L 151, 23. 6. 1993, p. 15.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.  
<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

## to the Commission Regulation of 30 July 1993 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		8	9	10	11	12	1	2
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 20 000	01	0	0	0	0	0	—	—
1003 00 80 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	- 70,00	- 70,00	- 70,00	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 30 200	01	0	0	0	0	0	0	0
1103 11 30 900	—	—	—	—	—	—	—	—
1103 11 50 200	01	0	0	0	0	0	0	0
1103 11 50 400	01	0	0	0	0	0	0	0
1103 11 50 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	0	0	0	0
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

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

**COMMISSION REGULATION (EEC) No 2114/93**  
**of 30 July 1993**  
**fixing the corrective amount applicable to the refund on 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<sup>(1)</sup>, and in particular Article 13 (4) thereof,

Whereas Article 13 (4) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Commission Regulation (EEC) No 1533/93<sup>(2)</sup> laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals allows for the fixing of a corrective amount for the malt referred to in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 2 of Regulation (EEC) No 1533/93;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(3)</sup> 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<sup>(4)</sup>;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 13 (4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1993, p. 21.

<sup>(2)</sup> OJ No L 151, 23. 6. 1993, p. 15.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the corrective amount applicable to the refund on malt

*(ECU/tonne)*

Product code	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

*(ECU/tonne)*

Product code	6th period 2	7th period 3	8th period 4	9th period 5	10th period 6	11th period 7
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

## COMMISSION REGULATION (EEC) No 2115/93

of 30 July 1993

## fixing the export refunds on products processed from cereals and rice

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<sup>(1)</sup>, and in particular the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(2)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(3)</sup>, and in particular the fourth subparagraph of Article 17 (2) thereof,

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76<sup>(4)</sup> laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EEC) No 1620/93<sup>(5)</sup> on the import and export system for products processed from cereals and from rice defines the specific

criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93<sup>(8)</sup> 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;

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(4)</sup> OJ No L 166, 25. 6. 1976, p. 36.

<sup>(5)</sup> OJ No L 155, 26. 6. 1993, p. 29.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(7)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(8)</sup> OJ No L 102, 28. 4. 1993, p. 14.

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product ; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted ;

Whereas, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 are hereby fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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## ANNEX

## to the Commission Regulation of 30 July 1993 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 100 (2)	124,03	1104 23 10 900	—
1102 20 10 300 (2)	106,31	1104 29 11 000	42,67
1102 20 10 900 (2)	—	1104 29 15 000	—
1102 20 90 100 (2)	106,31	1104 29 19 000	—
1102 20 90 900 (2)	—	1104 29 91 000	41,83
1102 30 00 000	—	1104 29 95 000	41,83
1102 90 10 100	74,75	1104 30 10 000	10,46
1102 90 10 900	50,83	1104 30 90 000	22,15
1102 90 30 100	105,46	1107 10 11 000	74,46
1102 90 30 900	—	1107 10 91 000	88,70
1103 12 00 100	105,46	1108 11 00 200	83,66
1103 12 00 900	—	1108 11 00 300	83,66
1103 13 10 100 (2)	159,46	1108 11 00 800	—
1103 13 10 300 (2)	124,03	1108 12 00 200	141,74
1103 13 10 500 (2)	106,31	1108 12 00 300	141,74
1103 13 10 900 (2)	—	1108 12 00 800	—
1103 13 90 100 (2)	106,31	1108 13 00 200	141,74
1103 13 90 900 (2)	—	1108 13 00 300	141,74
1103 14 00 000	—	1108 13 00 800	—
1103 19 10 000	41,83	1108 14 00 200	—
1103 19 30 100	77,24	1108 14 00 300	—
1103 19 30 900	—	1108 14 00 800	—
1103 21 00 000	42,67	1108 19 10 200	122,39
1103 29 20 000	50,83	1108 19 10 300	122,39
1103 29 30 000	—	1108 19 10 800	—
1103 29 40 000	—	1108 19 90 200	—
1104 11 90 100	74,75	1108 19 90 300	—
1104 11 90 900	—	1108 19 90 800	—
1104 12 90 100	117,18	1109 00 00 100	0,00
1104 12 90 300	93,74	1109 00 00 900	—
1104 12 90 900	—	1702 30 51 000	185,15
1104 19 10 000	42,67	1702 30 59 000	141,74
1104 19 50 110	141,74	1702 30 91 000	185,15
1104 19 50 130	115,17	1702 30 99 000	141,74
1104 19 50 150	—	1702 40 90 000	141,74
1104 19 50 190	—	1702 90 50 100	185,15
1104 19 50 900	—	1702 90 50 900	141,74
1104 19 91 000	—	1702 90 75 000	194,01
1104 21 10 100	74,75	1702 90 79 000	134,66
1104 21 10 900	—	2106 90 55 000	141,74
1104 21 30 100	74,75	2302 10 10 000	—
1104 21 30 900	—	2302 10 90 100	—
1104 21 50 100	99,66	2302 10 90 900	—
1104 21 50 300	79,73	2302 20 10 000	—
1104 21 50 900	—	2302 20 90 100	—
1104 22 10 100	93,74	2302 20 90 900	—
1104 22 10 900	—	2302 30 10 000	—
1104 22 30 100	99,60	2302 30 90 000	—
1104 22 30 900	—	2302 40 10 000	—
1104 22 50 000	—	2302 40 90 000	—
1104 23 10 100	132,89	2303 10 11 100	—
1104 23 10 300	101,88	2303 10 11 900	—

(1) 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.

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

**COMMISSION REGULATION (EEC) No 2116/93**  
**of 30 July 1993**  
**fixing the export refunds on cereal-based compound feedingstuffs**

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<sup>(1)</sup>, and in particular the third subparagraph of Article 13 (4) thereof,

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

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs<sup>(2)</sup>, as last amended by Regulation (EEC) No 3630/91<sup>(3)</sup>, provides that calculation of the export refund must take account of, in particular, the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas, under the terms of Article 4 of Commission Regulation (EEC) No 1619/93<sup>(4)</sup>, the refund may be varied on the basis of the destination;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(5)</sup> 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<sup>(6)</sup>;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93<sup>(7)</sup> 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, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EEC) No 1619/93 are hereby fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 246, 30. 9. 1969, p. 11.

<sup>(3)</sup> OJ No L 344, 14. 12. 1991, p. 40.

<sup>(4)</sup> OJ No L 155, 26. 6. 1993, p. 24.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(7)</sup> OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 30 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

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## ANNEX

## to the Commission Regulation of 30 July 1993 fixing the export refunds on cereal-based compound feedingstuffs

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Amount of refund (°)	Product code	Amount of refund (°)
2309 10 11 110	4,43	2309 90 53 290	4,58
2309 10 13 110	4,43	2309 10 11 310	17,72
2309 10 31 110	4,43	2309 10 13 310	17,72
2309 10 33 110	4,43	2309 10 31 310	17,72
2309 10 51 110	4,43	2309 10 33 310	17,72
2309 10 53 110	4,43	2309 10 51 310	17,72
2309 90 31 110	4,43	2309 10 53 310	17,72
2309 90 33 110	4,43	2309 90 31 310	17,72
2309 90 41 110	4,43	2309 90 33 310	17,72
2309 90 43 110	4,43	2309 90 41 310	17,72
2309 90 51 110	4,43	2309 90 43 310	17,72
2309 90 53 110	4,43	2309 90 51 310	17,72
2309 10 11 190	2,29	2309 90 53 310	17,72
2309 10 13 190	2,29	2309 10 11 390	9,17
2309 10 31 190	2,29	2309 10 13 390	9,17
2309 10 33 190	2,29	2309 10 31 390	9,17
2309 10 51 190	2,29	2309 10 33 390	9,17
2309 10 53 190	2,29	2309 10 51 390	9,17
2309 90 31 190	2,29	2309 10 53 390	9,17
2309 90 33 190	2,29	2309 90 31 390	9,17
2309 90 41 190	2,29	2309 90 33 390	9,17
2309 90 43 190	2,29	2309 90 41 390	9,17
2309 90 51 190	2,29	2309 90 43 390	9,17
2309 90 53 190	2,29	2309 90 51 390	9,17
2309 10 11 210	8,86	2309 90 53 390	9,17
2309 10 13 210	8,86	2309 10 31 410	26,58
2309 10 31 210	8,86	2309 10 33 410	26,58
2309 10 33 210	8,86	2309 10 51 410	26,58
2309 10 51 210	8,86	2309 10 53 410	26,58
2309 10 53 210	8,86	2309 90 41 410	26,58
2309 90 31 210	8,86	2309 90 43 410	26,58
2309 90 33 210	8,86	2309 90 51 410	26,58
2309 90 41 210	8,86	2309 90 53 410	26,58
2309 90 43 210	8,86	2309 10 31 490	13,75
2309 90 51 210	8,86	2309 10 33 490	13,75
2309 90 53 210	8,86	2309 10 51 490	13,75
2309 10 11 290	4,58	2309 10 53 490	13,75
2309 10 13 290	4,58	2309 90 41 490	13,75
2309 10 31 290	4,58	2309 90 43 490	13,75
2309 10 33 290	4,58	2309 90 51 490	13,75
2309 10 51 290	4,58	2309 90 53 490	13,75
2309 10 53 290	4,58	2309 10 31 510	35,44
2309 90 31 290	4,58	2309 10 33 510	35,44
2309 90 33 290	4,58	2309 10 51 510	35,44
2309 90 41 290	4,58	2309 10 53 510	35,44
2309 90 43 290	4,58	2309 90 41 510	35,44
2309 90 51 290	4,58	2309 90 43 510	35,44

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Amount of refund (1)	Product code	Amount of refund (1)
2309 90 51 510	35,44	2309 10 53 690	22,92
2309 90 53 510	35,44	2309 90 41 690	22,92
2309 10 31 590	18,33	2309 90 43 690	22,92
2309 10 33 590	18,33	2309 90 51 690	22,92
2309 10 51 590	18,33	2309 90 53 690	22,92
2309 10 53 590	18,33	2309 10 51 710	53,15
2309 90 41 590	18,33	2309 10 53 710	53,15
2309 90 43 590	18,33	2309 90 51 710	53,15
2309 90 51 590	18,33	2309 90 53 710	53,15
2309 90 53 590	18,33	2309 10 51 790	27,50
2309 10 31 610	44,30	2309 10 53 790	27,50
2309 10 33 610	44,30	2309 90 51 790	27,50
2309 10 51 610	44,30	2309 90 53 790	27,50
2309 10 53 610	44,30	2309 10 51 810	62,01
2309 90 41 610	44,30	2309 10 53 810	62,01
2309 90 43 610	44,30	2309 90 51 810	62,01
2309 90 51 610	44,30	2309 90 53 810	62,01
2309 90 53 610	44,30	2309 10 51 890	32,08
2309 10 31 690	22,92	2309 10 53 890	32,08
2309 10 33 690	22,92	2309 90 51 890	32,08
2309 10 51 690	22,92	2309 90 53 890	32,08

(1) 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.

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

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

## COMMISSION REGULATION (EEC) No 2117/93

of 30 July 1993

## fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular Article 16 (8) thereof,

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

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

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

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

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic

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

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

Whereas Commission Regulation (EEC) No 1724/93<sup>(5)</sup> lays down the prices and amounts fixed in ecus applicable in the sugar sector for the 1993/94 marketing year as a result of the monetary realignments during the 1992/93 marketing year;

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

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(7)</sup>, no levies shall apply on imports of products originating in the overseas countries and territories;

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 151, 30. 6. 1968, p. 42.

<sup>(4)</sup> OJ No L 171, 28. 6. 1978, p. 34.

<sup>(5)</sup> OJ No L 159, 1. 7. 1993, p. 127.

<sup>(6)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(7)</sup> OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(1)</sup> 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<sup>(2)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

ANNEX

to the Commission Regulation of 30 July 1993 fixing the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question <sup>(1)</sup>	Amount of levy per 100 kg of dry matter <sup>(1)</sup>
1702 20 10	0,4343	—
1702 20 90	0,4343	—
1702 30 10	—	53,10
1702 40 10	—	53,10
1702 60 10	—	53,10
1702 60 90	0,4343	—
1702 90 30	—	53,10
1702 90 60	0,4343	—
1702 90 71	0,4343	—
1702 90 90	0,4343	—
2106 90 30	—	53,10
2106 90 59	0,4343	—

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

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## COMMISSION REGULATION (EEC) No 2118/93

of 30 July 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular Article 16 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the period 1 January to 30 June 1993 to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(3)</sup> 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<sup>(4)</sup>;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 24,10 per 100 kg.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

**COMMISSION REGULATION (EEC) No 2119/93**  
**of 30 July 1993**  
**fixing the rate of the aid for dried fodder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder<sup>(1)</sup>, as last amended by Regulation (EEC) No 2275/89<sup>(2)</sup>, and in particular Article 5 (3) thereof,

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

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1288/93<sup>(3)</sup>;

Whereas Commission Regulation (EEC) No 3824/92<sup>(4)</sup>, as last amended by Regulation (EEC) No 1663/93<sup>(5)</sup>, lays down the list of prices and amounts fixed in ecus to be amended as a result of the monetary alignments and which are reduced from the beginning of the 1993/94 marketing year by a factor of fixed by Commission Regulation (EEC) No 537/93<sup>(6)</sup>, as amended by Regulation (EEC) No 1331/93<sup>(7)</sup>, as part of the automatic dismantling system of the negative monetary gaps; whereas this factor must be taken into account when calculating the aid from the beginning of the aforementioned marketing year;

Whereas Council Regulation (EEC) No 2065/92<sup>(8)</sup>, as amended by Regulation (EEC) No 1288/93<sup>(9)</sup>, sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1993/94 marketing year at 70 %;

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

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder<sup>(10)</sup>, as

last amended by Regulation (EEC) No 1110/89<sup>(11)</sup>, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder<sup>(12)</sup>, as last amended by Regulation (EEC) No 1069/93<sup>(13)</sup>;

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

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

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

<sup>(1)</sup> OJ No L 142, 30. 5. 1978, p. 1.

<sup>(2)</sup> OJ No L 218, 28. 7. 1989, p. 1.

<sup>(3)</sup> OJ No L 132, 29. 5. 1993, p. 1.

<sup>(4)</sup> OJ No L 387, 31. 12. 1992, p. 29.

<sup>(5)</sup> OJ No L 158, 30. 6. 1993, p. 18.

<sup>(6)</sup> OJ No L 57, 10. 3. 1993, p. 18.

<sup>(7)</sup> OJ No L 132, 29. 5. 1993, p. 114.

<sup>(8)</sup> OJ No L 215, 30. 7. 1992, p. 48.

<sup>(9)</sup> OJ No L 132, 29. 5. 1993, p. 1.

<sup>(10)</sup> OJ No L 171, 28. 6. 1978, p. 1.

<sup>(11)</sup> OJ No L 118, 29. 4. 1989, p. 1.

<sup>(12)</sup> OJ No L 179, 1. 7. 1978, p. 10.

<sup>(13)</sup> OJ No L 108, 1. 5. 1993, p. 114.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(1)</sup> 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<sup>(2)</sup>;

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

Whereas, as the result of the applications of all these provisions to the offers and quotations which the

Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the rate of the aid for dried fodder

Aid applicable from 1 August 1993 to dried fodder:

	<i>(ECU/tonne)</i>	
	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
August 1993	62,547	37,857

Aid in case of advance fixing for the month of:

	<i>(ECU/tonne)</i>	
September 1993	62,572	37,882
October 1993	62,733	38,043
November 1993	62,650	37,960
December 1993	62,650	37,960
January 1994	60,054	35,364

**COMMISSION REGULATION (EEC) No 2120/93**  
of 30 July 1993  
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and Portugal, and Commission Regulation (EEC) No 4006/87<sup>(1)</sup>,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton<sup>(2)</sup>, as last amended by Regulation (EEC) No 1554/93<sup>(3)</sup>, and in particular Article 5 (1) thereof,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginning cotton harvested in the Community when the world market price for unginning cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for cotton is fixed for the 1993/94 marketing year by Council Regulation (EEC) No 1555/93<sup>(4)</sup>; whereas this price was reduced by Regulation (EEC) No 2044/93<sup>(5)</sup> as a consequence of the monetary realignments;

Whereas, pursuant to the second subparagraph of Article 2 (2) of Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton<sup>(6)</sup>, as last amended by Regulation (EEC) No 1553/93<sup>(7)</sup>, the aid for cotton for the 1993/94 marketing year is reduced by ECU 5,140/100 kilograms as fixed by Commission Regulation (EEC) No 2511/92<sup>(8)</sup> and by the reduction fixed to take account of the expected overrun of the maximum guaranteed quantity fixed by the second subparagraph of Article 2 (1) of Regulation (EEC) No 1964/87; whereas, in these circumstances, the amount of the aid has been provisionally calculated on the basis of an overall reduction of ECU 20,359/100 kilograms;

Whereas the world market price for unginning cotton is determined periodically on the basis of the world prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginning cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginning cotton is equal to the sum of the values for ginned cotton seed defined in Article 1 of Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton<sup>(9)</sup>, as last amended by Regulation (EEC) No 2046/93<sup>(10)</sup>, minus the cost of beginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established, on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

<sup>(1)</sup> OJ No L 377, 31. 12. 1987, p. 49.

<sup>(2)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 23.

<sup>(4)</sup> OJ No L 154, 25. 6. 1993, p. 24.

<sup>(5)</sup> OJ No L 185, 28. 7. 1993, p. 16.

<sup>(6)</sup> OJ No L 184, 3. 7. 1987, p. 14.

<sup>(7)</sup> OJ No L 154, 25. 6. 1993, p. 21.

<sup>(8)</sup> OJ No L 250, 29. 8. 1992, p. 14.

<sup>(9)</sup> OJ No L 123, 4. 5. 1989, p. 23.

<sup>(10)</sup> OJ No L 185, 28. 7. 1993, p. 19.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(1)</sup> 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 are laid down in Commission Regulation (EEC) No 1068/93<sup>(2)</sup>;

Whereas the aid must be fixed once a month, and in such a way that it can be applied for the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

— ECU 63,419 per 100 kilograms.

2. However, the amount of the aid for 1993/94 shall be confirmed or replaced with effect from 1 August 1993 to take account of the consequences of the system of maximum guaranteed quantities.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

**COMMISSION REGULATION (EEC) No 2121/93**  
**of 30 July 1993**  
**fixing the agricultural conversion rates**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(1)</sup>, and in particular Article 3 (1),

Whereas the agricultural conversion rates were fixed by Commission Regulation (EEC) No 2102/93<sup>(2)</sup>;

Whereas Article 4 (1) of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency shall be adjusted where the monetary gap with the representative market rate for the last reference period of a month exceeds two points; whereas, in that case, the new agricultural conversion rate is fixed so as to reduce that monetary gap by half;

Whereas the representative market rates are determined on the basis of reference periods determined in accordance with Commission Regulation (EEC) No 1068/93 of 30 April 1993, on detailed rules for determining and applying the agricultural conversion rates<sup>(3)</sup>;

Whereas, as a consequence of the exchange rates recorded during the reference period 26 to 30 July 1993 for the pound sterling and 30 July 1993 for the Spanish peseta and the Portuguese escudo, it is necessary to fix a new agricultural conversion rate for the Spanish peseta, Portuguese escudo and the pound sterling;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The agricultural conversion rates are fixed in Annex I hereto.

*Article 2*

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

- Table A, where the latter rate is higher than the rate fixed in advance,
- or
- Table B, where the latter rate is lower than the rate fixed in advance.

*Article 3*

Regulation (EEC) No 2102/93 is hereby repealed.

*Article 4*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 190, 30. 7. 1993, p. 50.

<sup>(3)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX I

## Agricultural conversion rates

ECU 1 =	48,5563	Belgian and Luxembourg francs
	8,97989	Danish kroner
	2,35418	German marks
	319,060	Greek drachmas
	190,382	Spanish pesetas
	7,89563	French francs
	0,976426	Irish punt
	2 166,58	Italian lire
	2,65256	Dutch guilders
	236,933	Portuguese escudos
	0,920969	Pound sterling

## ANNEX II

## Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	46,6888	Belgian and Luxembourg francs	ECU 1 =	50,5795	Belgian and Luxembourg francs
	8,63451	Danish kroner		9,35405	Danish kroner
	2,26363	German marks		2,45227	German marks
	306,788	Greek drachmas		332,354	Greek drachmas
	183,060	Spanish pesetas		198,315	Spanish pesetas
	7,59195	French francs		8,22461	French francs
	0,938871	Irish punt		1,01711	Irish punt
	2 083,25	Italian lire		2 256,85	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	227,820	Portuguese escudos		246,805	Portuguese escudos
	0,885547	Pound sterling		0,959343	Pound sterling

## COMMISSION REGULATION (EEC) No 2122/93

of 30 July 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, and in particular the first sentence of the third subparagraph of Article 13 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(2)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(3)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

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

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(4)</sup>, as last amended by Regulation (EEC) No 3381/90<sup>(5)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors<sup>(6)</sup>, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(7)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(8)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products<sup>(9)</sup>, as last amended by Regulation (EEC) No 1708/93<sup>(10)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC<sup>(11)</sup>, it is necessary to differentiate the refund on goods falling within CN codes

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(4)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(5)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(6)</sup> OJ No L 159, 1. 7. 1993, p. 112.

<sup>(7)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(8)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(9)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(10)</sup> OJ No L 159, 1. 7. 1993, p. 77.

<sup>(11)</sup> OJ No L 275, 29. 9. 1987, p. 36.

1902 11 00 and 1902 19 according to their destination ;

Whereas, for the application of Article 4 (2) (b) of Regulation (EEC) No 3035/80, it is necessary to differentiate the refunds ;

Whereas Council Regulation (EEC) No 990/93 <sup>(1)</sup> 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 in particular the export refund for unprocessed starches falling within CN code 1108 is granted only if the dry matter content is at least 77 % in the case of potato starch and at least 84 % in the case of cereal starches ;

Whereas with regard to potatoes, only potato starches are subject to common organization of the market, consequently steps should be taken to specify the terms that these potato starches should meet in order to qualify for refunds ;

Whereas, in respect of glucose syrup and maltodextrine syrup, the dry extract content for which the rate of refund is set should be specified ;

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

HAS ADOPTED THIS REGULATION :

#### *Article 1*

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1722/93 the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided

for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1722/93, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1722/93 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

#### *Article 2*

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 1766/92 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

The above declaration can be considered valid, until revocation, for all supplies from the same producer ; it shall be verified in accordance with the provisions of Article 8 (1) and the first indent of paragraph 2 of Regulation (EEC) No 3035/80.

2. Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) (a) of Regulation (EEC) No 3035/80 is 80 % or higher, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 80 % the rate of the refund shall be the amount laid down in the Annex multiplied by 1/80th of the actual dry-extract percentage.

For all other starches with a dry-extract content of 87 % or more, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 87 % the amount of the refund shall be the rate laid down in the Annex multiplied by 1/87th of the actual dry-extract percentage.

<sup>(1)</sup> OJ No L 102, 28. 4. 1993, p. 14.

3. For the purposes of paragraph 1 above, the dryextract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2507/87 <sup>(2)</sup>.

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract content of the starches concerned, unless this information has been recorded by the competent authorities referred to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

#### *Article 3*

1. If the dry extract content of glucose syrup or maltodextrine syrup falling within CN code 1702 30 59, 1702 30 99, 1702 40 90, 1702 90 50 or 2106 90 55 is greater than or equal to 78 %, the rate of refund shall be that set in accordance with the Annex ; if the dry extract content of the said syrups is less than 78 %, the rate

applied shall be equal to the rate of refund set in accordance with the Annex multiplied by the actual percentage of dry extract and divided by 78.

2. For the purposes of the preceding paragraph, the dry matter content of glucose syrup or maltodextrine syrup shall be determined in accordance with Method 2 described in Annex II to Council Directive 79/796/EEC <sup>(3)</sup>, or in accordance with any other appropriate method of analysis which offer at least the same guarantees.

3. When applying for the export refund, the applicant must state the dry extract content of the glucose syrup and maltodextrine syrup used, unless this information has been recorded by the competent body referred to in Article 3 (2) of Regulation (EEC) No 3035/80, as provided for in that paragraph.

#### *Article 4*

This Regulation shall enter into force on 1 August 1993.

Article 3 shall apply from 1 September 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 178, 5. 7. 1984, p. 22.

<sup>(2)</sup> OJ No L 235, 20. 8. 1987, p. 10.

<sup>(3)</sup> OJ No L 239, 22. 9. 1979, p. 24.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat :	
	– used unprocessed :	
	– – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	2,621
	– – in all other cases	4,766
	– used in the form of :	
	– – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104	2,510
	– – hulled grains of CN code 1104 and starch of CN code 1108	3,765
	– – germ of CN code 1104	1,464
1001 90 99	Common wheat and meslin :	
	– used unprocessed :	
	– – on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America	2,301
	– – in all other cases	4,183
	– used in the form of :	
	– – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104	2,510
	– – hulled grains of CN code 1104 and starch of CN code 1108	3,765
	– – germ of CN code 1104	1,464
1002 00 00	Rye :	
	– used unprocessed	4,183
	– used in the form of :	
	– – pellets of CN code 1103, or pearled grains of CN code 1104	2,510
	– – rolled or flaked grains and hulled grains of CN code 1104	3,765
	– – germ of CN code 1104	3,101
	– – starch of CN code 1108 19 90	8,859
	– – gluten of CN code 2303 10 90	—
1003 00 80	Barley :	
	– used unprocessed	5,383
	– used in the form of :	
	– – flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104	3,768
	– – pellets of CN code 1103	3,230
	– – germs of CN code 1104	3,101
	– – starch of CN code 1108 19 90	8,859
	– – gluten of CN code 2303 10 90	—
– – other	5,383	

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1004 00 00	Oats : – used unprocessed – used in the form of : – – pellets of CN code 1103, and pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other	5,859   3,515 5,273 3,101 8,859 — 5,859
1005 90 00	Maize (Corn): – used unprocessed – used in the form of : – – flours of CN codes 1102 20 10 and 1102 20 90 – – groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 – – pellets of CN code 1103 – – hulled or perled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 12 00 – – gluten of CN code 2303 10 11 – – other	8,859  6,201 7,087 5,315 7,973 3,101 8,859 3,544 8,859 (3)
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	24,723 22,011 22,011
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	31,900 31,900 31,900
1006 40 00	Broken rice : – used unprocessed – used in the form of : – – flour of CN code 1102 30, groats and meal or pellets of CN code 1103 – – flaked grains of CN 1104 19 91 – – starch of CN code 1108 19 10 – – other	8,052  8,052 4,831 8,052 —
1007 00 90	Sorghum	4,983
1101 00 00	Wheat or meslin flour : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	2,830 5,145
1102 10 00	Rye flour	5,731
1103 11 30	Durum wheat groats :	
1103 11 50	Durum wheat meal : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	3,722 6,768
1103 11 90	Common wheat groats and spelt : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	2,830 5,145

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

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

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

## COMMISSION REGULATION (EEC) No 2123/93

of 30 July 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2071/92<sup>(2)</sup>, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EEC) No 3381/90<sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

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

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs<sup>(7)</sup>, as last amended by Regulation (EEC) No 1813/93<sup>(8)</sup>, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 990/93<sup>(9)</sup> 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;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 215, 30. 7. 1992, p. 64.

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(5)</sup> OJ No L 169, 18. 7. 1968, p. 6.

<sup>(6)</sup> OJ No L 138, 31. 5. 1990, p. 8.

<sup>(7)</sup> OJ No L 55, 1. 3. 1988, p. 31.

<sup>(8)</sup> OJ No L 166, 8. 7. 1993, p. 16.

<sup>(9)</sup> OJ No L 102, 28. 4. 1993, p. 14.

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

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

*Article 2*

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

*Article 3*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

		(ECU/100 kg)
CN code	Description	Rate of refund (*)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	60,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	52,64
	b) On exportation of other goods	110,00
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	26,00
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	166,00
	c) On exportation of other goods	160,00

(\*) 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 2124/93

of 30 July 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EEC) No 3381/90<sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry<sup>(5)</sup>, as last amended by Regulation (EEC) 464/91<sup>(6)</sup>, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(7)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(8)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products<sup>(9)</sup>, as last amended by Regulation (EEC) No 1708/93<sup>(10)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(5)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(6)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(7)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(8)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(9)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(10)</sup> OJ No L 159, 1. 7. 1993, p. 77.

Whereas Council Regulation (EEC) No 990/93<sup>(1)</sup> 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. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 102, 28. 4. 1993, p. 14.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg <sup>(1)</sup> —
White sugar :	38,74
Raw sugar :	35,64
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$38,74^{(4)} \times \frac{S^{(1)}}{100}$ or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—
Isoglucose <sup>(2)</sup> :	38,74 <sup>(3)</sup>

(<sup>1</sup>) 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.

(<sup>1</sup>) 'S' represents in 100 kilograms of syrup

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

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

(<sup>3</sup>) Amount of refund per 100 kilograms of dry matter.

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

**COMMISSION REGULATION (EEC) No 2125/93**

of 30 July 1993

**amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira**

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1627/93 <sup>(4)</sup>, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 185, 4. 7. 1992, p. 28.

<sup>(4)</sup> OJ No L 155, 26. 6. 1993, p. 55.

## ANNEX

to the Commission Regulation of 30 July 1993 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

*(Ecu/tonne)*

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	50,00	50,00
Barley (1003 00 80)	56,00	56,00
Maize (1005 90 00)	97,00	97,00
Durum wheat (1001 10 00)	50,00	50,00

**COMMISSION REGULATION (EEC) No 2126/93**  
**of 30 July 1993**  
**amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the Canary Islands**

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 <sup>(3)</sup> as last amended by Regulation (EEC) No 1626/93 <sup>(4)</sup>, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 185, 4. 7. 1992, p. 26.

<sup>(4)</sup> OJ No L 155, 26. 6. 1993, p. 53.

## ANNEX

to the Commission Regulation of 30 July 1993 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

		<i>(Ecu/tonne)</i>
	Product (CN code)	Amount of aid
Common wheat	(1001 90 99)	50,00
Barley	(1003 00 80)	56,00
Maize	(1005 90 00)	97,00
Durum wheat	(1001 10 00)	50,00
Oats	(1004 00 00)	56,00

## COMMISSION REGULATION (EEC) No 2127/93

of 30 July 1993

## amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1625/93 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 155, 26. 6. 1993, p. 51.

## ANNEX

to the Commission Regulation of 30 July 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	53,00	53,00	53,00	56,00
Barley (1003 00 80)	59,00	59,00	59,00	62,00
Maize (1005 90 00)	100,00	100,00	100,00	103,00
Durum wheat (1001 10 00)	53,00	53,00	53,00	56,00

## COMMISSION REGULATION (EEC) No 2128/93

of 30 July 1993

fixing the refunds applicable to cereal and rice sector products supplied as  
Community and national food aid

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<sup>(1)</sup>, and in particular the third subparagraph of Article 13(2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(2)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(3)</sup>, and in particular Article 11(2) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid<sup>(4)</sup> lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 17 of Regulation (EEC) No 1418/76 on export

refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76<sup>(5)</sup>;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For Community and national food aid operations under international agreements or other supplementary programmes, the refunds applicable for August 1993 to cereals and rice sector products shall be as set out in the Annex.

*Article 2*

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

*Article 3*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(4)</sup> OJ No L 288, 25. 10. 1974, p. 1.

<sup>(5)</sup> OJ No L 166, 25. 6. 1976, p. 36.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

Product code	Refund (ECU/tonne)
1001 10 00 400	47,00
1001 90 99 000	47,00
1002 00 00 000	47,00
1003 00 80 000	53,00
1004 00 00 400	—
1005 90 00 000	94,00
1006 20 92 000	254,40
1006 20 94 000	254,40
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	318,00
1006 30 92 900	318,00
1006 30 94 100	318,00
1006 30 94 900	318,00
1006 30 96 100	318,00
1006 30 96 900	318,00
1006 40 00 000	—
1007 00 90 000	94,00
1101 00 00 100	55,00
1101 00 00 130	55,00
1102 20 10 100	124,03
1102 20 10 300	106,31
1102 30 00 000	—
1102 90 10 100	74,75
1103 11 30 200	55,00
1103 11 50 200	55,00
1103 11 90 200	55,00
1103 13 10 100	159,46
1103 14 00 000	—
1104 12 90 100	117,18
1104 21 50 100	99,66

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

**COMMISSION REGULATION (EEC) No 2129/93**  
**of 30 July 1993**  
**fixing the export refunds on 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<sup>(1)</sup>, and in particular the fourth subparagraph third of Article 13 (2) thereof,

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation 1533/93<sup>(2)</sup> laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals;

Whereas the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question; whereas the said quantities are laid down in Regulation (EEC) No 1533/93;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(3)</sup> 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<sup>(4)</sup>;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93<sup>(5)</sup> 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 it follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds 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 Cereals,

HAS ADOPTED THIS REGULATION :

*Article 1*

The export refunds on malt listed in Article 1 (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 151, 23. 6. 1993, p. 15.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(5)</sup> OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 30 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

ANNEX

to the Commission Regulation of 30 July 1993 fixing the export refunds on malt

Product code	Refund (1)
1107 10 19 000	0
1107 10 99 000	0
1107 20 00 000	0

(1) 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.

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

**COMMISSION REGULATION (EURATOM) No 2130/93**

of 27 July 1993

**amending Regulation (Euratom) No 3227/76 concerning the application of the provisions on Euratom safeguards**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 79 thereof,

Having regard to the approval of the Council,

Whereas Commission Regulation (Euratom) No 3227/76<sup>(1)</sup> defines the nature and the extent of the requirements referred to in Article 79 of the Treaty;

Whereas Regulation (Euratom) No 3227/76 requires persons and undertakings to communicate technical and operational information and data to the Commission;

Whereas, in order to support the International Atomic Energy Agency (IAEA) in strengthening international safeguards, it is desirable to enable the Commission to transmit certain safeguards data to the IAEA;

Whereas, as regards the basic technical characteristics of new installations, it is appropriate, in the interest of their timely transmission to the IAEA, to extend the period within which they shall be declared to the Commission,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (Euratom) No 3227/76 is hereby amended as follows:

1. the second paragraph of Article 2 is replaced by the following:

‘The basic technical characteristics of new installations shall be declared as laid down in Article 1 at least 200 days before the first consignment of nuclear material is due to be received.

Furthermore, for new installations with an inventory or annual throughput of nuclear material, whichever is the greater, of more than one effective kilogramme, the owner, operator, purpose, location, type, capacity and expected commissioning date shall be declared at least 200 days before construction begins.’;

2. the following Article is inserted:

**‘TRANSMISSION OF INFORMATION AND DATA**

*Article 34a*

The Commission may transmit to the International Atomic Energy Agency information and data obtained pursuant to this Regulation.’

*Article 2*

This Regulation shall enter into force 15 days after 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, 27 July 1993.

*For the Commission*

Abel MATUTES

*Member of the Commission*

<sup>(1)</sup> OJ No L 363, 31. 12. 1976, p. 1. Regulation as last amended by Regulation (Euratom) No 220/90 (OJ No L 22, 27. 1. 1990, p. 56).

## COMMISSION REGULATION (EEC) No 2131/93

of 28 July 1993

## laying down the procedure and conditions for the sale of cereals held by intervention agencies

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<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas cereals may be bought in by intervention agencies either under compulsory intervention measures as provided for in Article 4 of Regulation (EEC) No 1766/92 or under special intervention measures as referred to in Article 6 of that Regulation;

Whereas cereals held by the intervention agencies must be sold without any discrimination between Community purchasers; whereas in principle invitations to tender permit that objective to be achieved; whereas, however, in certain cases it must be possible to use other methods of sale;

Whereas, to ensure that all interested parties in the Community are treated equally, notices of invitation to tender must be published in the *Official Journal of the European Communities* and a reasonable time must elapse between the date of such publication and the first closing date for the submission of tenders; whereas, however, such publicity is necessary for quantities of less than 2 000 tonnes;

Whereas sale on the internal market must take place at prices which do not disturb the market; whereas that aim can be achieved if the selling price is equal to the local market price, account being taken of the quality put up for sale by tender, without being below a given level in relation to the intervention price; whereas in certain cases observing such a price level may not be in the interests of sound management of the market or of the intervention arrangements and may result in disturbance in the way the market organization functions; whereas provision should therefore be made for the possibility of disposing of intervention stocks and special prices in such cases;

Whereas, in addition, the purchase on the market of cereals particularly suited to certain uses may be especially difficult; whereas provision should therefore be made for the possibility of facilitating the supply of that market from intervention stocks; whereas, however, that possibility must be restricted to exceptional cases;

Whereas the sale of cereals for export must take place at prices to be determined in each case in the light of market trends and requirements; whereas such sales must not however, lead to distortions to the detriment of exports from the open market; whereas a minimum selling price should therefore be fixed by the Commission on the basis of tenders submitted;

Whereas the minimum selling price is to be established by the Commission in the light of all the relevant data available on the day on which tenders are submitted; whereas, in order to prevent speculation and ensure identical conditions for all concerned in the invitation to tender, tenders must be accompanied by an application for advance fixing of the export refund;

Whereas tenders for different lots are comparable one with another only where they relate to cereals in identical situations; whereas cereals put up for tender are stored in different places; whereas comparability may be better ensured by reimbursing to the successful tenderer the lowest costs of transport from the place where the cereals in question are stored and the place of exit; whereas, however, for budgetary reasons, such reimbursement can only be made in respect of the place of exit which can be reached at the lowest cost; whereas that place must be determined by reference to its facilities for exporting cereals;

Whereas invitations to tender can take place properly only if those concerned submit genuine tenders; whereas that objective can be achieved by requiring that a security be paid, to be released on payment of the selling price within the time limit laid down;

Whereas, in the case of invitations to tender for export, steps must be taken to ensure that the cereals are not put back on the Community market; whereas that risk exists if the selling price is less than the minimum price to be observed in the case of resale on the internal market; whereas provision should accordingly be made in such

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

cases for the lodging of a second security, which must be equal to the difference between the selling price and that minimum price; whereas, as a consequence, that security can be released only if the successful tenderer intending to export the cereals provides the proof referred to in Article 18 of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products<sup>(1)</sup>, as last amended by Regulation (EEC) No 1708/93<sup>(2)</sup>;

Whereas, in order to ensure that intervention stocks are disposed of rapidly and as far as possible in line with commercial practice, a certain time limit should be laid down in respect of the rights and obligations deriving from the award;

Whereas Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies<sup>(3)</sup>, as last amended by Regulation (EEC) No 966/93<sup>(4)</sup>, has been amended on numerous occasions; whereas, for the sake of clarity, it should be replaced;

Whereas it is necessary for all sales effected during the 1993/94 marketing year to be treated in the same manner;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. Cereals bought in by the intervention agencies in accordance with Article 4 of Regulation (EEC) No 1766/92 shall be put up for sale by invitation to tender or, in the case of resale on the Community market, by public auction.

2. For the purposes of this Regulation, 'invitation to tender' means competition between interested parties in response to a call for tenders, the contract being awarded to the person submitting the most favourable bid in accordance with this Regulation.

### TITLE I

#### **Sale on the Community market**

#### *Article 2*

1. Decisions issuing invitations to tender shall be taken in accordance with the procedure laid down in Article 23

of Regulation (EEC) No 1766/92. Such decisions shall lay down in particular:

- (a) the quantities to be put up for tender;
- (b) the closing date for the submission of tenders in the case of specific invitations to tender and the first and final closing dates for the submission of tenders in the case of standing invitations to tender.

The decisions referred to in the first subparagraph shall be brought to the notice of all interested parties by their publication in the *Official Journal of the European Communities*.

A period of at least eight days must elapse between the date of such publication and the first closing date for the submission of tenders.

2. Paragraph 1 shall not apply to invitations to tender covering quantities of less than 2 000 tonnes.

#### *Article 3*

1. The intervention agencies shall draw up notices of invitations to tender in accordance with Article 12 and shall publicize them, in particular by displaying them at their head offices. In the case of standing invitations to tender, they shall specify therein the closing dates for the submission of tenders for each partial invitation to tender.

2. Notices of invitation to tender shall specify the minimum quantities which tenders must cover.

#### *Article 4*

Invitations to tender as provided for in Article 2 may be restricted to specified uses and/or destinations.

#### *Article 5*

1. For resale other than as referred to in paragraph 3, successful tenders must quote a price at least equal to the price recorded for an equivalent quality and for a representative quantity on the market at the place of storage or, failing that, on the nearest market, account being taken of transport costs. Bids may in no circumstances be lower than the intervention price applicable on the closing date for the submission of tenders.

2. For the purposes of paragraph 1, the intervention prices to be taken into account during the 12th month of the marketing year shall be those applicable for the 11th month, plus one monthly increase.

<sup>(1)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(2)</sup> OJ No L 159, 1. 7. 1993, p. 77.

<sup>(3)</sup> OJ No L 202, 9. 7. 1982, p. 23.

<sup>(4)</sup> OJ No L 98, 24. 4. 1993, p. 25.

3. In the case of resale of maize and grain sorghum during the first three months of the marketing year and of common wheat, durum wheat, rye and barley during the first two months on the marketing year, successful tenders must quote a price at least equal to the intervention price applicable for the 11th month of the preceding marketing year, plus one monthly increase fixed for that year.

4. If, during a marketing year, the operation of the market organization is disturbed on account in particular of difficulty in selling cereals at prices which comply with paragraph 1, special price conditions may be laid down in accordance with the procedure provided for in Article 23 of Regulation (EEC) No 1766/92.

#### Article 6

In the second month following that of the closure of the invitation to tender, the Member States concerned shall inform the Commission of the outcome of the tendering procedure, indicating in particular the average selling prices of the various lots and the quantities sold.

### TITLE II

#### Sale for export

#### Article 7

1. Decisions issuing invitations to tender shall be taken in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92. Such decisions shall lay down in particular:

- (a) the quantities to be put up for tender;
- (b) the regions where the quantities are stored;
- (c) the closing date for the submission of tenders in the case of specific invitations to tender and the first and final closing date for the submission of tenders in the case of standing invitations to tender.

The decisions referred to in the first subparagraph shall be brought to the notice of all interested parties by their republication in the *Official Journal of the European Communities*.

A period of at least eight days must elapse between the date of such publication and the first closing date for the submission of tenders.

2. In the notices of invitation to tender provided for in Article 12, the intervention agencies shall specify for each lot the port or place of exit which may be reached at the lowest transport costs and which has adequate technical facilities for exporting the cereals put up for tender.

The lowest transport costs between the place of storage and the place of loading at the port or place of exit

referred to in the first subparagraph shall be reimbursed to the successful tenderer by the intervention agency in respect of the quantities exported. In particular cases a decision may be taken in accordance with the procedure referred to in paragraph 1 for carriage to be undertaken by the intervention agency under the same conditions.

3. In the case of standing invitations to tender, the intervention agency shall set the closing dates for the submission of tenders for each partial invitation to tender.

#### Article 8

1. Tenders:

- (a) may be rejected if they relate to lots of less than 500 tonnes;
- (b) may stipulate that they are valid only for specified quantities;
- (c) shall be considered as relating to a cereal delivered to, but not unloaded at, the ports or places of exit referred to in Article 7 (2).

2. Without prejudice to Article 13 (2), tenders shall be valid only if they are accompanied by an application for an export licence together with an application for advance fixing of the export refund or levy for the relevant destination. All countries for which the same rate of export refund or levy applies shall be considered as one destination.

#### Article 9

Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88<sup>(1)</sup>, export licences issued pursuant to this Regulation shall be considered, for the purposes of determining their term of validity, as having been issued on the closing date for the submission of tenders.

#### Article 10

When each period for the submission of tenders has expired, the Member State concerned shall forward to the Commission a list of the tenders, without names, in each case showing in particular the quantity, the price and the price increases and reductions applying thereto. In accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, the Commission shall fix the minimum selling price or shall decide to take no action in respect of the tenders received.

The minimum price shall be fixed at a level which does not prejudice other export operations.

<sup>(1)</sup> OJ No L 331, 2. 12. 1988, p. 1.

*Article 11*

Where the export licence application submitted by the successful tenderer pursuant to Article 8 (2) is based on Article 44 of Regulation (EEC) No 3719/88, the intervention agency shall cancel the contract in respect of the quantities for which the licence is not issued in accordance with that Article.

## TITLE III

**General and final provisions***Article 12*

At least eight days before the first closing date for the submission of tenders, the intervention agencies shall publish a notice of invitation to tender setting out:

- supplementary terms and conditions of sale compatible with this Regulation,
- the main physical and technical characteristics of the various lots ascertained at the time of buying in by the intervention agency or during checks conducted thereafter,
- the places of storage and the names and addresses of the storers.

The notice and any amendments thereto shall be forwarded to the Commission before the first closing date for the submission of tenders.

*Article 13*

1. In the case of sales on the Community market, tenders shall be drawn up by reference to the standard quality defined in Council Regulation (EEC) No 2731/75<sup>(1)</sup>.

Where the quality of the cereal differs from the standard quality, the successful tender price shall be adjusted by applying the price increases or reductions determined pursuant to Articles 4 and 5 of Regulation (EEC) No 1766/92.

2. In the case of sales for export, tenders shall be drawn up by reference to the actual quality of the lot to which the tender relates.
3. In the case of sales for export, provision may be made for tenders submitted pursuant to Article 44 of Regulation (EEC) No 3719/88 not to be admissible.
4. Once submitted, tenders may not be amended or withdrawn.

Tenders shall be valid only if they are accompanied by proof that the tenderer has lodged a security of:

- ECU 6 per tonne in the case of a sale for export,
- ECU 5 to 10 per tonne, to be fixed by Member State concerned, in the case of a sale on the Community market.

*Article 14*

Intervention agencies shall take all measures necessary to enable interested parties to assess the quality of cereals put up for sale before submitting their tenders.

*Article 15*

Intervention agencies shall immediately inform all tenderers of the outcome of their tender. They shall forward statements of award of contract to the successful tenderers within three working days of the said notification, by registered letter or written telecommunication.

*Article 16*

Successful tenderers shall pay for the cereals before they are removed and at the latest within one month of the date on which the statement referred to in Article 15 was forwarded. They shall bear all risks and storage costs in respect of cereals not removed within the period allowed for payment.

Cereals covered by contracts awarded and not removed within the period allowed for payment shall be deemed to all effects to have been removed on expiry of that term. In that case, where sales on the internal market are concerned, the price tendered shall be adjusted by reference to the quality characteristics described in the notice of invitation to tender.

In the case of sales for export, the price to be paid shall be that quoted in the tender, plus a monthly increase where removal takes place in the month following that of award of the contract.

Where the successful tenderer has not paid for the cereals within the period laid down in the first paragraph, the contract shall be cancelled by the intervention agency in respect of the quantities not paid for.

*Article 17*

1. The securities referred to in this Regulation shall be lodged in accordance with Title II of Commission Regulation (EEC) No 2220/85<sup>(2)</sup>.

2. The security provided for in Article 13 (4) shall be released where it covers quantities for which:

- no contract has been awarded,
- the selling price has been paid within the period laid down, and in the case of sales for export and where the price paid is less than the minimum price for resale on the Community market, in accordance with Article 5 (1), (2) and (3), a security covering the difference between those two prices has been lodged.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 22.

<sup>(2)</sup> OJ No L 205, 3. 8. 1985, p. 5.

3. The security provided for in the second indent of paragraph 2 shall be released where it covers quantities in respect of which :

- proof has been furnished that the goods have become unfit for human or animal consumption,
- the proof referred to in Article 18 of Regulation (EEC) No 3665/87 has been provided. However, the security shall be released where the operator provides proof that the cereals have left the customs territory of the Community on a vessel of at least 2 500 tonnes gross tonnage and suitable for sea transport. Such proof shall be provided by the following indication, certified by the competent authority, on the control copy referred to in Article 6 of Regulation (EEC) No 3665/87 and of the single administrative document or national document proving that the goods have left the customs territory of the Community :  
'Export of cereals by sea — Article ... of Regulation (EEC) No .../...';
- the licence has not been issued in accordance with Article 44 of Regulation (EEC) No 3719/88,
- the contract has been cancelled in accordance with the fourth paragraph of Article 16.

4. The security provided for in Article 13 (4) shall be forfeited in respect of quantities for which :

- the security referred to in the second subparagraph of Article 44 (6) of Regulation (EEC) No 3719/88 has been forfeited,
- except in cases of *force majeure*, payment has not been made within the period laid down in Article 16.

5. Except in cases of *force majeure*, the security provided for in the second indent of paragraph 2 shall be forfeited in respect of quantities for which the proof referred to in the second indent of paragraph 3 has been provided within the period laid down in Article 47 of Regulation (EEC) No 3665/87.

#### *Article 18*

Regulation (EEC) No 1836/82 is repealed.

References to that Regulation shall be construed as references to this Regulation.

#### *Article 19*

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

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

Done at Brussels, 28 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

## COMMISSION REGULATION (EEC) No 2132/93

of 28 July 1993

amending Regulation (EEC) No 3892/92 fixing, for the 1993 fishing year, the withdrawal and selling prices for fishery products listed in Annex I (A), (D) and (E) to Council Regulation (EEC) No 3759/92

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<sup>(1)</sup>, as amended by Regulation (EEC) No 697/93<sup>(2)</sup>, and in particular Article 11 (3) and Article 13 thereof,

Whereas Regulation (EEC) No 3759/92, in the process of reforming various mechanisms of the common organization of markets in fishery products, introduces new products eligible under these mechanisms;

Whereas Commission Regulation (EEC) No 3892/92<sup>(3)</sup>, as amended by Regulation (EEC) No 351/93<sup>(4)</sup>, fixes for the 1993 season the withdrawal and sale prices forming part of the common organization of markets before the entry into force of Regulation (EEC) No 3759/92; whereas, therefore, Regulation (EEC) No 3892/92 should be amended to include withdrawal and sale prices for the new products;

Whereas the guide prices for the new products concerned are fixed by Council Regulation (EEC) No 1917/93<sup>(5)</sup>;

Whereas the entry into force, on 1 January 1993, of Regulation (EEC) No 3759/92 gives producer organizations

entitlement, from that date, to Community participation in intervention on the market for the new products concerned; whereas provision should be made for this Regulation to apply also from 1 January 1993;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I, II, III and IV to Regulation (EEC) No 3892/92 are supplemented by the Annex to this Regulation.

*Article 2*

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

It shall apply from 1 January 1993.

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

Done at Brussels, 28 July 1993.

*For the Commission*

Yannis PALEOKRASSAS

*Member of the Commission*

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 76, 30. 3. 1993, p. 12.

<sup>(3)</sup> OJ No L 392, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 41, 18. 2. 1993, p. 12.

<sup>(5)</sup> OJ No L 174, 17. 7. 1993, p. 1.

## ANNEX

## 1. Percentage of guide price used in calculating withdrawal or sale prices

Product	%
Dab ( <i>Limanda limanda</i> )	83
Flounder ( <i>Platichthys flesus</i> )	83
Albacore or longfinned tuna ( <i>Thunnus alalunga</i> )	90
Cuttlefish ( <i>Sepia officinalis</i> and <i>Rossia macrosoma</i> )	80
Sole ( <i>Solea</i> spp.)	83

## 2. Conversion factor of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (°)	Conversion			
		Gutted fish, with head		Whole fish	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Dab ( <i>Limanda limanda</i> )	1	0,85	0,75	0,70	0,55
	2	0,65	0,55	0,50	0,35
Flounder ( <i>Platichthys flesus</i> )	1	0,80	0,70	0,70	0,55
	2	0,60	0,50	0,50	0,35
Albacore or longfinned tuna ( <i>Thunnus alalunga</i> )	1	1,0	0,54	0,90	0,85
	2	1,0	0,54	0,85	0,80
Cuttlefish ( <i>Sepia officinalis</i> and <i>Rossia macrosoma</i> )	1	—	—	0,80	0,60
	2	—	—	0,80	0,60
	3	—	—	0,50	0,30
Sole ( <i>Solea</i> spp.)	1	0,90	0,80	0,70	0,55
	2	0,90	0,80	0,70	0,55
	3	0,85	0,75	0,65	0,50
	4	0,70	0,60	0,50	0,40
	5	0,60	0,50	0,40	0,35

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

## 3. Withdrawal or sale price in the Community of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (°)	Withdrawal price (ECU/tonne)			
		Gutted fish, with head		Whole fish	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Dab ( <i>Limanda limanda</i> )	1	536	473	442	347
	2	410	347	315	221
Flounder ( <i>Platichthys flesus</i> )	1	299	261	261	205
	2	224	187	187	131
Albacore or longfinned tuna ( <i>Thunnus alalunga</i> )	1	1 890	1 021	1 458	1 377
	2	1 890	1 021	1 377	1 296
Cuttlefish ( <i>Sepia officinalis</i> and <i>Rossia macrosoma</i> )	1	—	—	832	624
	2	—	—	832	624
	3	—	—	520	312

Species	Size (°)	Withdrawal price (ECU/tonne)			
		Gutted fish, with head		Whole fish	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Sole ( <i>Solea</i> spp.)	1	3 735	3 320	2 905	2 283
	2	3 735	3 320	2 905	2 283
	3	3 528	3 113	2 698	2 075
	4	2 905	2 490	2 075	1 660
	5	2 490	2 075	1 660	1 453

(°) The freshness categories, size and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

#### 4. Arrangement applicable to landing areas located far from the main centres of consumption in the Community

Species	Landing areas	Conversion factor	Size (°)	Withdrawal price (ECU/tonne)			
				Gutted fish, with head		Whole fish	
				Extra, A (°)	B (°)	Extra, A (°)	B (°)
Albacore or longfinned tuna ( <i>Thunnus alalunga</i> )	Azores and Madeira	0,45	1	851	459	656	620
			2	851	459	620	583

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

**COMMISSION REGULATION (EEC) No 2133/93**  
**of 28 July 1993**  
**amending Regulation (EEC) No 3893/92 fixing the reference prices for fishery**  
**products for the 1993 fishing year**

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<sup>(1)</sup>, as amended by Regulation (EEC) No 697/93<sup>(2)</sup>, and in particular the first subparagraph of Article 22 (6) and Article 23 (5) thereof,

Whereas Regulation (EEC) No 3759/92, in the process of reforming various mechanisms of the common organization of markets in fishery products, introduces new species subject to the reference price system;

Whereas Commission Regulation (EEC) No 3893/92<sup>(3)</sup>, as amended by Regulation (EEC) No 351/93<sup>(4)</sup>, fixes for the 1993 season the reference prices forming part of the common organization of markets before the entry into force of Regulation (EEC) No 3759/92; whereas, therefore, Regulation (EEC) No 3893/92 should be amended to include reference prices for the new species;

Whereas, for the new products listed in Annex I to Regulation (EEC) No 3759/92, the reference prices equal the Community withdrawal and sale prices; whereas the

Community withdrawal and sale prices for these products are laid down, for the 1993 fishing year, by Commission Regulation (EEC) No 2132/93<sup>(5)</sup>;

Whereas, for the new products listed in Annex II to Regulation (EEC) No 3759/92, the reference prices are derived from the guide prices; whereas the guide prices for these new products are laid down, for the 1993 fishing year, in Council Regulation (EEC) No 1917/93<sup>(6)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to Regulation (EEC) No 3893/92 are supplemented by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the seventh 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, 28 July 1993.

*For the Commission*  
Yannis PALEOKRASSAS  
*Member of the Commission*

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 76, 30. 3. 1993, p. 12.

<sup>(3)</sup> OJ No L 392, 31. 12. 1992, p. 9.

<sup>(4)</sup> OJ No L 41, 18. 2. 1993, p. 12.

<sup>(5)</sup> See page 81 of this Official Journal.

<sup>(6)</sup> OJ No L 174, 17. 7. 1993, p. 1.

## ANNEX

## 1. Reference prices of products listed in Annex I(A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (°)	Reference price (ECU/tonne)			
		Gutted fish, with head		Whole fish	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Dab ( <i>Limanda limanda</i> ) ex 0302 29 90	1	536	473	442	347
	2	410	347	315	221
Flounder ( <i>Platichthys flesus</i> ) ex 0302 29 90	1	299	261	261	205
	2	224	187	187	131
Albacore or longfinned tuna ( <i>Thunnus alalunga</i> ) 0302 31.10 and 0302 31 90	1	1 890	1 021	1 458	1 377
	2	1 890	1 021	1 377	1 296
Cuttlefish ( <i>Sepia officinalis</i> and <i>Rossia macrosoma</i> ) ex 0307 41 80	1	—	—	832	624
	2	—	—	832	624
	3	—	—	520	312
Sole ( <i>Solea</i> spp.) 0302 23 00	1	3 735	3 320	2 905	2 283
	2	3 735	3 320	2 905	2 283
	3	3 528	3 113	2 698	2 075
	4	2 905	2 490	2 075	1 660
	5	2 490	2 075	1 660	1 453

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

## 2. Reference prices of products listed in Annex II to Regulation (EEC) No 3759/92

CN Code	Description	Reference prices (ECU/tonne)
A. Frozen products falling within CN codes 0303 and 0304 0303 31 10	Greenland halibut ( <i>Reinhardtius hippoglossoides</i> )	1 275
B. Frozen products falling within CN code 0306 ex 0306 13 90	Shrimps of the family <i>Penaeidae</i>	4 250

## 3. Reference prices for certain frozen products listed in Annex IV (B) and Annex V to Regulation (EEC) No 3759/92

Product	Presentation	Reference price (ECU/tonne)
Swordfish ( <i>Xiphias gladius</i> ) ex 0303 79 87	Whole fish, with or without head	3 200

**COMMISSION REGULATION (EEC) No 2134/93**  
of 28 July 1993

**amending Regulation (EEC) No 3901/92 introducing detailed rules for granting  
carry-over aid on certain fishery products**

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<sup>(1)</sup>, as amended by Regulation (EEC) No 697/93<sup>(2)</sup>, and in particular Article 14 (5) thereof,

Whereas Regulation (EEC) No 3759/92, in the process of reforming various mechanisms of the common organization of markets in fishery products, introduces new products eligible under these mechanisms;

Whereas Commission Regulation (EEC) No 3901/92<sup>(3)</sup> lists the products in respect of which classifications of freshness, presentation and size existed prior to the entry into force of Regulation (EEC) No 3759/92;

Whereas common marketing standards for the new products are laid down by Council Regulation (EEC) No 1935/93<sup>(4)</sup>;

Whereas Regulation (EEC) No 3901/92 should accordingly be amended to include the new products, and their associated classifications, suitable for disposal after storage or preservation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EEC) No 3901/92 is supplemented by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the seventh 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, 28 July 1993.

*For the Commission*  
Yannis PALEOKRASSAS  
*Member of the Commission*

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 76, 30. 3. 1993, p. 12.

<sup>(3)</sup> OJ No L 392, 31. 12. 1992, p. 29.

<sup>(4)</sup> OJ No L 176, 20. 7. 1993, p. 1.

## ANNEX

CN code	Description	Quality ( <sup>1</sup> )	Presentation ( <sup>1</sup> )	Size ( <sup>1</sup> )
ex 0302 29 90	Flounder ( <i>Platichthys flesus</i> )	E, A	gutted and with head	1, 2
ex 0307 41 80	Cuttlefish ( <i>Sepia officinalis</i> and <i>Rossia macrosoma</i> )	E, A	whole	1, 2
ex 0302 23 00	Sole ( <i>Solea spp.</i> )	E, A	gutted and with head	3, 4, 5

(<sup>1</sup>) The classifications by quality, presentation and size are those laid down in Article 2 of Regulation (EEC) No 3759/92.

## COMMISSION REGULATION (EEC) No 2135/93

of 28 July 1993

## amending Regulation (EEC) No 3895/92 fixing the amount of the carry-over aid for certain fishery products for the 1993 fishing year

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<sup>(1)</sup>, as amended by Regulation (EEC) No 697/93<sup>(2)</sup>, and in particular Article 14 (5) thereof,

Whereas Regulation (EEC) No 3759/92, in the process of reforming various mechanisms of the common organization of markets in fishery products, introduces new products eligible under these mechanisms;

Whereas Commission Regulation (EEC) No 3895/92<sup>(3)</sup> fixes for the 1993 season the carryover aid for products covered by the common organization of markets before the entry into force of Regulation (EEC) No 3759/92; whereas, therefore, Regulation (EEC) No 3895/92 should be amended to include the new products;

Whereas, since the inclusion of certain new products has no significant impact on the technical and financial costs of the operations concerned, the amounts of the aid should not be adjusted;

Whereas, in respect of the types of processing and the technical and financial costs associated with the operations concerned, sole (*Solea* spp.) resembles more closely the products listed in Annex I (A) and (D) to Regulation

(EEC) No 3759/92 than the products listed in Annex I, E to that Regulation; whereas the amount of the aid should accordingly be fixed for sole at the same level as for the products listed in Annex I (A) and (D);

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The titles of sections 1 and 2 of the Annex to Regulation (EEC) No 3895/92 are hereby amended as follows:

- '1. Amount of the carry-over aid for products listed in Annex I (A) and (D) and for sole (*Solea* spp.) listed in Annex I (E) to Regulation (EEC) No 3759/92.'
- '2. Amount of the carry-over aid for other products listed in Annex I (E) to Regulation (EEC) No 3759/92.'

*Article 2*

This Regulation shall enter into force on the seventh 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, 28 July 1993.

*For the Commission*

Yannis PALEOKRASSAS

*Member of the Commission*

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 76, 30. 3. 1993, p. 12.

<sup>(3)</sup> OJ No L 392, 31. 12. 1992, p. 19.

**COMMISSION REGULATION (EEC) No 2136/93**

of 28 July 1993

**amending Commission Regulation (EEC) No 3597/90 on the accounting rules for intervention measures involving the buying in, storage and sale of agricultural products by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3492/90 of 27 November 1990 laying down the factors to be taken into consideration in the annual accounts for the financing of intervention measures in the form of public storage by the European Agricultural Guidance and Guarantee Fund, Guarantee Section<sup>(1)</sup>, and in particular Article 8 thereof,

Whereas Commission Regulation (EEC) No 3597/90<sup>(2)</sup> established the accounting rules for intervention measures involving the buying in, storage and sale of agricultural products by intervention agencies;

Whereas, due to the reform of the common agricultural policy, the intervention prices for cereals are considerable reduced with effect from the 1993/94 marketing year; whereas it is therefore appropriate that missing quantities recorded during the 1994 financial year should be valued at the intervention price of the preceding marketing year as the majority of quantities in intervention stock were purchased during that marketing year;

Whereas, following the monetary realignments which have taken place since October 1992, the valuation of the missing quantities at the agricultural conversion rate in force on 1 October of the current financial year leads to a reimbursement lower than the purchase price; whereas this situation could lead to irregularities and it is therefore necessary to use a more realistic conversion rate;

Whereas the ratio between beef after boning and the bone-in beef purchased into intervention is 68; whereas the basic intervention price for beef is identical in both cases; whereas, accordingly it is appropriate to adapt the basic intervention price applicable to boneless beef by applying a co-efficient of correction;

Whereas, in the light of acquired experience, it is appropriate to define certain accounting rules;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3597/90 is hereby amended as follows:

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

‘However, for the 1994 financial year in the cereals sector, the basic intervention price to be used is that in force on 1 October 1992.’

2. The second indent of Article 2 (5) is replaced by the following:

‘— for the quantities referred to in the first indent of paragraph 1 and in paragraph 3 (a), the conversion rate applicable is the agricultural rate in force on the first day of the financial year.’

3. The following indent is added to Article 2 (5):

‘— for the quantities referred to in the second indent of paragraph 1, in paragraph 2 and in paragraph 3 (c), the conversion rate applicable is the agricultural rate in force on the first day of each quarter; however for the first application of this quarterly rate, the rate applicable is that in force on August 1993.’

4. Article 6 (2) is replaced by the following:

‘If, following the visual inspection in the framework of the annual inventory, or at the control after the take over into intervention, it is not possible to re-pack the product, the intervention organization may sell the remaining quantity by private contract. This quantity shall be accounted for, as a removal, on the day of the taking of samples and the receipts realized shall be credited to the EAGGF for the same month.’

5. Article 7 (2) (a) is replaced by the following:

‘The entry and removal costs to be deducted shall be calculated by multiplying the rejected quantities by the sum of the respective standard amounts and by the conversion rate applicable to the standard amounts for the month of removal.’

<sup>(1)</sup> OJ No L 337, 4. 12. 1990, p. 3.

<sup>(2)</sup> OJ No L 350, 14. 12. 1990, p. 43.

6. Article 7 (2) (b) is replaced by the following :

'Storage costs to be deducted shall be calculated by multiplying the rejected quantities by the number of months which elapse between entry and removal, by the standard amount and by the conversion rate applicable to the standard amounts for the month of removal.'

7. Article 7 (2) (c) is replaced by the following :

'Financing costs to be deducted shall be calculated by multiplying the rejected quantities by the number of months which elapse between entry and removal after deduction of the number of months of delay in payment applicable at the time of entry, by the rate of financing applicable during the month of removal divided by 12 and by the average book value of the stocks carried over at the beginning of the accounting year or of the stocks of the first month of declaration in the case where an average book value of stocks carried over does not exist.'

8. The following paragraph is added to Article 7 :

'4. In the case of special provisions, the conversion rate applicable to the entry into the accounts of the

costs referred to in paragraphs 2 (a) and (b) is that of the first day of the month in which the specifically defined operative event occurs.'

9. In Article 8, the words 'the agricultural rates' are deleted.

10. The following point is added to the Annex :

'VII. BEEF

For the application of the rules in Article 2 paragraphs 1, 2 and 3 points (a) and (c), the basic price to be used, for boneless beef, is the intervention price modified by the coefficient of 1,47.'

*Article 2*

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

It shall apply with effect from 1 August 1993.

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

Done at Brussels, 28 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

**COMMISSION REGULATION (EEC) No 2137/93**

of 28 July 1993

**fixing the export refunds in the wine sector and repealing Regulation (EEC) No 646/86**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EEC) No 1566/93 <sup>(2)</sup>, and in particular Article 56 (4) thereof,

Whereas, pursuant to Article 56 of Regulation (EEC) No 822/87, to the extent necessary to enable the products listed in Article 1 (2) of that Regulation to be exported in an economically significant quantity on the basis of the prices for those products on the world market, the difference between those prices and the prices in the Community may be covered by an export refund; whereas, however, refunds may be granted only for the products specified in Article 1 (2) of Council Regulation (EEC) No 345/79 of 5 February 1979 laying down general rules for granting export refunds on wine and criteria for fixing the amount of such refunds <sup>(3)</sup>, as amended by Regulation (EEC) No 2009/81 <sup>(4)</sup>;

Whereas, pursuant to Article 2 of Regulation (EEC) No 345/79, refunds are to be fixed having regard to the existing situation and future trends with regard to:

- (i) prices and availabilities of the products concerned on the Community market; and
- (ii) world market prices for these products;

Whereas account must also be taken of the costs referred to in that Article, of the economic aspects of the proposed exports, of the objectives defined in the said Article and of the need to avoid disturbances on the Community market; whereas, however, when fixing the amount of the refunds applicable to liqueur wines, account should be taken of the difference between Community prices and world market prices in respect only of wine and musts used in the manufacture of liqueur wines, since no such difference is recorded in respect of the other products used in the manufacture of the wines in question;

Whereas, pursuant to Article 3 of Regulation (EEC) No 345/79, Community market prices must be determined on the basis of the most advantageous export

prices; whereas the prices referred to in Article 3 (2) must be taken into account when the prices in international trade are being determined;

Whereas the international trade situation or the specific requirements of certain markets may make it necessary to vary the refund according to the use or destination of a specific product;

Whereas there is at present scope for economically significant exports of concentrated grape musts, table wines other than of type R III and rosé table wines from the Portugieser variety;

Whereas Commission Regulation (EEC) No 3389/81 <sup>(5)</sup>, as amended by Regulation (EEC) No 3473/82 <sup>(6)</sup>, lays down the detailed rules for the application of export refunds on wine;

Whereas, applying the abovementioned rules to the present market situation, in particular to the prices of wines in the Community and on the world market, the refunds should be fixed as shown in the Annex hereto and Commission Regulation (EEC) No 646/86 of 28 February 1986 fixing the export refunds on wine <sup>(7)</sup>, as last amended by Regulation (EEC) No 3928/92 <sup>(8)</sup>, should be repealed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The export refunds provided for in Article 56 of Regulation (EEC) No 822/87 are fixed in the Annex hereto.
2. Regulation (EEC) No 646/86 is repealed.

*Article 2*

This Regulation shall enter into force on the 1 September 1993.

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 39.

<sup>(3)</sup> OJ No L 54, 5. 3. 1979, p. 69.

<sup>(4)</sup> OJ No L 195, 18. 7. 1981, p. 6.

<sup>(5)</sup> OJ No L 341, 28. 11. 1981, p. 24.

<sup>(6)</sup> OJ No L 365, 24. 12. 1982, p. 30.

<sup>(7)</sup> OJ No L 60, 1. 3. 1986, p. 46.

<sup>(8)</sup> OJ No L 328, 14. 11. 1992, p. 25.

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

Done at Brussels, 28 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

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## ANNEX

CN code	Product code	For export to <sup>(1)</sup>	Refund
2009 60 11 2009 60 19 2009 60 51 2009 60 71 2204 30 91 2204 30 99	100	01 ; 02 ; 03 ; 09	ECU 1,30/%/vol/hl <sup>(2)</sup>
2204 21 25 2204 21 35 2204 29 25 2204 29 35	110	02 ; 09	ECU 5,50/hl
2204 21 25 2204 21 29 2204 21 35 2204 21 39 2204 29 25 2204 29 29 2204 29 35 2204 29 39	190	02	ECU 1,80/%/vol/hl <sup>(2)</sup>
		03 ; 09	ECU 1,65/%/vol/hl <sup>(2)</sup>
2204 21 25 2204 29 25	910	02 ; 09	ECU 5,50/hl
2204 21 49 2204 21 59 2204 29 49 2204 29 59	910	02 ; 09	ECU 17,25/hl

(1) The destinations are as follows :

- 01 Venezuela.
- 02 All countries of the African continent with the exception of those explicitly excluded under 09 ;
- 03 Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia ;
- 09 All other destinations with the exception of the following third countries and territories :
  - all countries of the American continent within the meaning of Commission Regulation (EEC) No 208/93 (OJ No L 25, 2. 2. 1993, p. 11),
  - South Africa,
  - Algeria,
  - Australia,
  - Austria,
  - Cyprus,
  - Israel,
  - Morocco,
  - Switzerland,
  - Tunisia,
  - Turkey, and
  - the Republics of Serbia and Montenegro.

(2) Potential alcoholic strength by volume as defined in Annex II to Regulation (EEC) No 822/87.

(3) Total alcoholic strength by volume as defined in Annex II to Regulation (EEC) No 822/87.

*NB* : The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended by Regulation (EEC) No 1457/93 (OJ No L 142, 12. 6. 1993, p. 55).

## COMMISSION REGULATION (EEC) No 2138/93

of 28 July 1993

amending Regulations (EEC) No 1912/92 and (EEC) No 2254/92 laying down detailed implementing rules for the specific measures for supplying the Canary Islands with products from the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures for the Canary Islands concerning certain agricultural products <sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Articles 3 (4), 4 (4) and 5 (2) thereof,

Whereas the common detailed implementing rules for the arrangements for supplying the Canary Islands with certain agricultural products were laid down by Commission Regulation (EEC) No 1695/92 <sup>(3)</sup>, as amended by Regulation (EEC) No 1707/93 <sup>(4)</sup>;

Whereas Commission Regulations (EEC) No 1912/92 <sup>(5)</sup>, as last amended by Regulation (EEC) No 1736/93 <sup>(6)</sup>, and (EEC) No 2254/92 <sup>(7)</sup>, as amended by Regulation (EEC) No 1736/93, lay down the special conditions applying to the arrangements for supplying the Canary Islands with beef and veal and pure-bred breeding bovines, and live male bovine animals intended for fattening;

Whereas, in the light of experience, provision should be made to amend the time limits for the presentation of applications for licences and certificates and for the issue of the licences and certificates, the term of their validity and the amount of the security to be lodged by the interested party;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EEC) No 1912/92 is hereby amended as follows :

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 13.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 179, 1. 7. 1992, p. 1.  
<sup>(4)</sup> OJ No L 159, 1. 7. 1993, p. 75.  
<sup>(5)</sup> OJ No L 192, 11. 7. 1992, p. 31.  
<sup>(6)</sup> OJ No L 160, 1. 7. 1993, p. 39.  
<sup>(7)</sup> OJ No L 219, 4. 8. 1992, p. 34.

1. Article 6 is amended as follows :

- (a) in the first subparagraph of paragraph 1, 'during the first five working days' is replaced by 'during the first 10 working days';
- (b) in paragraph 1 (b), 'ECU 30' is replaced by 'ECU 10';
- (c) in paragraph 2, 'the 10th working day' is replaced by 'the 15th working day';

2. Article 7 is replaced by the following :

*Article 7*

The duration of validity of the licences and certificates shall expire on the 90th day following that of their issue.'

*Article 2*

Regulation (EEC) No 2254/92 is hereby amended as follows :

1. Article 8 is amended as follows :

- (a) in the first subparagraph of paragraph 1, 'during the first five working days' is replaced by 'during the first 10 working days';
- (b) in paragraph 1 (b), 'ECU 30' is replaced by 'ECU 3';
- (c) in paragraph 2, 'the 10th working day' is replaced by 'the 15th working day';

2. Article 9 is replaced by the following :

*Article 9*

The duration of validity of the licences and certificates shall expire on the 90th day following that of their issue.'

*Article 3*

This Regulation shall enter into force on the seventh 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, 28 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 2139/93

of 28 July 1993

amending Regulations (EEC) No 1913/92 and (EEC) No 2255/92 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures for the Azores and Madeira concerning certain agricultural products<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 10 thereof,

Whereas the common detailed implementing rules for the arrangements for supplying the Azores and Madeira with certain agricultural products were laid down by Commission Regulation (EEC) No 1696/92<sup>(3)</sup>, as amended by Regulation (EEC) No 1707/93<sup>(4)</sup>;

Whereas Commission Regulations (EEC) No 1913/92<sup>(5)</sup>, as last amended by Regulation (EEC) No 1735/93<sup>(6)</sup>, and (EEC) No 2255/92<sup>(7)</sup>, as amended by Regulation (EEC) No 1735/93, lay down the special conditions applying to the arrangements for supplying the Azores and Madeira with beef and veal and pure-bred breeding bovines, and live male bovine animals intended for fattening;

Whereas, in the light of experience, provision should be made to amend the time limits for the presentation of applications for licences and certificates and for the issue of the licences and certificates, the term of their validity and the amount of the security to be lodged by the interested party;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1913/92 is hereby amended as follows:

1. Article 6 is amended as follows:

- (a) in the first subparagraph of paragraph 1, 'during the first five working days' is replaced by 'during the first 10 working days';
- (b) in paragraph 1 (b), 'ECU 30' is replaced by 'ECU 10';
- (c) in paragraph 2, 'the 10th working day' is replaced by 'the 15th working day';

2. Article 7 is replaced by the following:

*Article 7*

The duration of validity of the licences and certificates shall expire on the 90th day following that of their issue.'

*Article 2*

Regulation (EEC) No 2255/92 is hereby amended as follows:

1. Article 8 is amended as follows:

- (a) in the first subparagraph of paragraph 1, 'during the first five working days' is replaced by 'during the first 10 working days';
- (b) in paragraph 1 (b), 'ECU 30' is replaced by 'ECU 3';
- (c) in paragraph 2, 'the 10th working day' is replaced by 'the 15th working day';

2. Article 9 is replaced by the following:

*Article 9*

The duration of validity of the licences and certificates shall expire on the 90th day following that of their issue.'

*Article 3*

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

(<sup>1</sup>) OJ No L 173, 27. 6. 1992, p. 1.  
 (<sup>2</sup>) OJ No L 378, 23. 12. 1992, p. 23.  
 (<sup>3</sup>) OJ No L 179, 1. 7. 1992, p. 6.  
 (<sup>4</sup>) OJ No L 159, 1. 7. 1993, p. 75.  
 (<sup>5</sup>) OJ No L 192, 11. 7. 1992, p. 35.  
 (<sup>6</sup>) OJ No L 160, 1. 7. 1993, p. 36.  
 (<sup>7</sup>) OJ No L 219, 4. 8. 1992, p. 37.

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

Done at Brussels, 28 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 2140/93

of 28 July 1993

laying down detailed rules for the application of the minimum import price system for certain soft fruits originating in Hungary, Poland, the Czech Republic, Slovakia, Romania and Bulgaria and fixing the minimum import prices applicable until 30 April 1994

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1988/93 of 19 July 1993 on the system of minimum import prices for certain soft fruits originating in Hungary, Poland, the Czech Republic, Slovakia, Romania and Bulgaria<sup>(1)</sup>, and in particular Article 3 thereof,

Whereas, as a result of the signature of the Association Agreements with Romania and Bulgaria, the Council has extended to those two countries the system of minimum import prices for certain soft fruits now applicable to other Eastern European countries; whereas, by Regulation (EEC) No 1988/93, the Council repealed Council Regulation (EEC) No 1333/92 of 18 May 1992 on the system of minimum import prices for certain soft fruit originating in Hungary, Poland and Czechoslovakia<sup>(2)</sup> so as to create, by means of a new text, a system applicable to all the Eastern European countries concerned; whereas the rules of application should be amended accordingly;

Whereas, as a result of the extension of the minimum price system to include a new product, fresh strawberries intended for processing, the date of commencement of the marketing year should be brought forward to 1 May, so that the marketing year ends on 30 April as a result;

Whereas Article 1 of Regulation (EEC) No 1988/93 defines the factors to be taken into account when fixing the minimum import price; whereas certain of these factors should be specified;

Whereas under the Association Agreements signed with Hungary, Poland, the Czech Republic, Slovakia, Romania and Bulgaria, observance of these prices must be checked at regular intervals with reference to certain criteria; whereas excessive drops in import prices should be prevented by implementing measures to ensure compliance with the minimum import price;

Whereas, on the basis of the factors referred to in Article 1 of Regulation (EEC) No 1988/93 as specified in

this Regulation, a minimum import price should be fixed for the 1993/94 marketing year for the products listed in the Annex to the said Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the purpose of fixing the minimum import price:

- the prices of Community products and products imported from the third countries in question shall mean their weighted average over the three previous years,
- the general trend on the Community market shall mean the evolution of the market share of Community products and imports and trends in the use of the different presentations of the same product.

*Article 2*

During the marketing year, which shall run from 1 May to 30 April of the following year, compliance of the minimum import price for each product shall be checked in accordance with Article 3.

*Article 3*

Verification of compliance with the minimum import price shall be carried out for each of the products listed in the Annex with reference to the following criteria:

- for each quarter of the marketing year, the average unit value of products imported during the quarter must not be less than the minimum import price fixed,
- for each period of two weeks, the average unit value of products imported during that period must not be less than 90 % of the minimum import price fixed, provided that the quantities imported during period are not less than 4 % of average imports over the three various marketing years for the products in question.

<sup>(1)</sup> OJ No L 182, 24. 7. 1993, p. 4.

<sup>(2)</sup> OJ No L 145, 27. 5. 1992, p. 3.

*Article 4*

In cases where verification shows that at least one of the criteria referred to in Article 3 is not observed, the Commission may apply the measures provided for in Article 2 of Regulation (EEC) No 1988/93 for a period not exceeding three months or two months, depending on whether the criteria not met is the first or the second.

*Article 5*

For the period ending on 30 April 1994, the minimum import prices for each of the products listed in the Annex to Regulation (EEC) No 1988/93 originating in Hungary, Poland, the Czech Republic, Slovakia, Romania and

Bulgaria shall be as set out in the Annex to this Regulation.

*Article 6*

Commission Regulation (EEC) No 1349/93<sup>(1)</sup> is hereby repealed.

*Article 7*

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

It is applied on import of produce originating in Bulgaria from the date of entry into force of the Interim Agreement with this country. This date will be published by the Commission.

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

Done at Brussels, 28 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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<sup>(1)</sup> Commission Regulation (EEC) No 1349/93 of 1 June 1993 laying down detailed rules for the application of the minimum import price system for certain soft fruits originating in Hungary, Poland, the Czech Republic and Slovakia and fixing the minimum import price applicable until 31 May 1994 (OJ No L 133, 2. 6. 1993, p. 13).

## ANNEX

(ECU/100 kg net)

CN code	Description of products	Country of origin					
		Poland	Hungary	Czech Republic	Slovakia	Romania	Bulgaria
ex 0810 10 10	Strawberries, from 1 May to 31 July, intended for processing	—	—	—	—	53,2	53,2
ex 0810 10 90	Strawberries, from 1 August to 30 April, intended for processing	—	—	—	—	53,2	53,2
ex 0810 20 10	Raspberries, intended for processing	62,2	62,2	62,2	62,2	62,2	62,2
ex 0810 30 10	Blackcurrants, intended for processing	54,6	54,6	54,6	54,6	54,6	54,6
ex 0810 30 30	Redcurrants, intended for processing	24,1	24,1	24,1	24,1	24,1	24,1
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: whole fruit	77,6	—	—	—	—	—
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: other	59,7	—	—	—	—	—
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	77,6	—	—	—	—	—
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	59,7	—	—	—	—	—
ex 0811 10 90	Frozen strawberries containing no added sugar or other sweetening matter: whole fruit	77,6	77,6	77,6	77,6	—	—
ex 0811 10 90	Frozen strawberries containing no added sugar or other sweetening matter: other	59,7	59,7	59,7	59,7	—	—
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	103,0	103,0	103,0	103,0	—	—
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	68,7	68,7	68,7	68,7	—	—
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	103,0	103,0	103,0	103,0	103,0	103,0
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	68,7	68,7	68,7	68,7	68,7	68,7
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	96,9	96,9	96,9	96,9	96,9	—
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	61,1	61,1	61,1	61,1	61,1	—

*(ECU/100 kg net)*

CN code	Description of products	Country of origin					
		Poland	Hungary	Czech Republic	Slovakia	Romania	Bulgaria
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter : without stalk	40,4	40,4	40,4	40,4	—	—
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter : other	30,6	30,6	30,6	30,6	—	—

## COMMISSION REGULATION (EEC) No 2141/93

of 29 July 1993

amending the time limit laid down for the submission of contracts for the support distillation of table wine opened by Regulation (EEC) No 130/93 for the 1992/93 wine year

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, and in particular Article 257 (1) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EEC) No 1566/93 <sup>(2)</sup>, and in particular Article 41 (10) thereof,

Whereas Commission Regulation (EEC) No 2721/88 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2181/91 <sup>(4)</sup>, lays down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87; whereas the second subparagraph of Article 6 (1) of the said Regulation lays down that contracts and declarations must be submitted for approval no more than two months after the opening of distillation;

Whereas the distillation of table wine provided for in Article 41 of Regulation (EEC) No 822/87 was opened for the 1992/93 wine year on 27 January 1993 by Commission Regulation (EEC) No 130/93 <sup>(5)</sup>; whereas the above-mentioned time limit for the submission of contracts and declarations expired on 27 March 1993;

Whereas Commission Regulation (EEC) No 840/93 of 7 April 1993 amending the time limit laid down the submission of contracts for the support distillation of table wine opened by Regulation (EEC) No 130/93 for the

1992/93 wine year <sup>(6)</sup> extended that time limit to 13 April 1993;

Whereas implementation of the measure, applicable to Portugal for the first time, has provided difficult and risks being compromised; whereas, therefore, the time limit laid down for the submission for approval of the contracts concluded should be extended to 31 July 1993 without affecting the ceiling of 100 000 hectolitres previously fixed; whereas this should take effect on 14 April 1993;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Notwithstanding the second subparagraph of Article 6 (1) of Regulation (EEC) No 2721/88, the deadline for the submission of contracts and declarations for distillation pursuant to Regulation (EEC) No 130/93 for the 1992/93 wine year in Portugal shall be 31 July 1993.

*Article 2*

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

It shall apply with effect from 14 April 1993.

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

Done at Brussels, 29 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 39.

<sup>(3)</sup> OJ No L 241, 1. 9. 1988, p. 88.

<sup>(4)</sup> OJ No L 202, 25. 7. 1991, p. 16.

<sup>(5)</sup> OJ No L 18, 27. 1. 1993, p. 13.

<sup>(6)</sup> OJ No L 88, 8. 4. 1993, p. 19.

## COMMISSION REGULATION (EEC) No 2142/93

of 29 July 1993

**derogating from the detailed rules for the delivery by producers of the table wine they are required to deliver for compulsory distillation and support distillation in respect of the 1992/93 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine<sup>(1)</sup>, as last amended by Regulation (EEC) No 1566/93<sup>(2)</sup>, and in particular Articles 39 (9) and 41 (10) thereof,

Whereas Commission Regulation (EEC) No 129/93<sup>(3)</sup> opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1992/93 wine year from certain detailed rules for the application thereof opens compulsory distillation of table wine as provided for in Article 39 of Regulation (EEC) No 822/87 for the 1992/93 wine year; whereas Commission Regulation (EEC) No 487/93<sup>(4)</sup> lays down the percentages of table wine production to be delivered for compulsory distillation by each person subject to the obligation;

Whereas, in accordance with Article 12 (4) of Commission Regulation (EEC) No 441/88 of 17 February 1988 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87<sup>(5)</sup>, as last amended by Regulation (EEC) No 3699/92<sup>(6)</sup>, producers are required to deliver table wine to a distillery by 31 July 1992 at the latest;

Whereas Commission Regulation (EEC) No 130/93<sup>(7)</sup> opened for the 1992/93 wine year, distillation of table wine as provided for in Article 41 of Regulation (EEC) No 822/87; whereas the percentage reductions in the volumes which may be delivered were laid down in Commission Regulation (EEC) No 1232/93<sup>(8)</sup>;

Whereas, pursuant to Article 7 (1) of Commission Regulation (EEC) No 2721/88<sup>(9)</sup>, as last amended by Regulation (EEC) No 2181/91<sup>(10)</sup>, laying down detailed rules for voluntary distillation these distillation operations may not take place after the end of the wine year in question;

Whereas Regulation (EEC) No 1566/93 provides for the possibility of terminating long-term storage contracts in order to send such wine for compulsory distillation; whereas, in view of the date of entry into force of that provision, the final date for the delivery of table wine to distilleries should be put back to 16 August 1993; whereas for administrative reasons support distillation operations should also be continued until 15 September 1993;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1992/93 wine year and by way of derogation:

1. from the first indent of Article 12 (4) of Regulation (EEC) No 441/88, persons subject to the obligation to deliver for compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87 shall deliver the table wine to a distillery by 16 August 1993 at the latest;
2. from Article 7 (1) of Regulation (EEC) No 2721/88, the distillation operations provided for in Article 41 of Regulation (EEC) No 822/87 may not take place after 15 September 1993.

*Article 2*

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

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 39.

<sup>(3)</sup> OJ No L 18, 27. 1. 1993, p. 10.

<sup>(4)</sup> OJ No L 51, 3. 3. 1993, p. 21.

<sup>(5)</sup> OJ No L 45, 18. 2. 1988, p. 15.

<sup>(6)</sup> OJ No L 374, 22. 12. 1992, p. 54.

<sup>(7)</sup> OJ No L 18, 27. 1. 1993, p. 13.

<sup>(8)</sup> OJ No L 124, 20. 5. 1993, p. 29.

<sup>(9)</sup> OJ No L 241, 1. 9. 1988, p. 88.

<sup>(10)</sup> OJ No L 202, 25. 7. 1991, p. 16.

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

Done at Brussels, 29 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 2143/93

of 29 July 1993

on the issuing of a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Spanish intervention agency

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 <sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93 <sup>(2)</sup> lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Spanish intervention agency should be issued;

Whereas in the current situation it would be appropriate to reduce the minimum resale price to be observed to ECU 160 per tonne;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Spanish intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 50 000 tonnes of durum wheat held by it in accordance with Regulation (EEC) No 2131/93.

*Article 2*

1. The final date for the submission of tenders for the first partial invitation to tender shall be 4 August 1993.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 August 1993.
3. Tenders must be lodged with the Spanish intervention agency:

Servicio Nacional de Productos Agrarios (SENPA), c/Beneficencia 8, Madrid 28004 (telex: 41818, 23427 SENPA E; telecopier: 5219832, 5224387).

*Article 3*

Notwithstanding Article 5 (3) of Regulation (EEC) No 2131/93, in no case may successful tenders be lower than ECU 160 per tonne.

*Article 4*

Not later than Tuesday of the week following the final date for the submission of tenders, the Spanish intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

*Article 5*

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

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

Done at Brussels, 29 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> See page 76 of this Official Journal.

**COMMISSION REGULATION (EEC) No 2144/93**  
**of 29 July 1993**

**on the issuing of a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Greek intervention agency**

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<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93<sup>(2)</sup> lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Greek intervention agency should be issued;

Whereas in the current situation it would be appropriate to reduce the minimum resale price to be observed to ECU 160 per tonne;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Greek intervention agency shall issue a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by it in accordance with Regulation (EEC) No 2131/93.

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

Done at Brussels, 29 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

*Article 2*

1. The final date for the submission of tenders for the first partial invitation to tender shall be 4 August 1993.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 August 1993.

3. Tenders must be lodged with the Greek intervention agency:

YDAGEP, Ministry of Agriculture,  
Domestic Market Directorate,  
241, Achamon Street,  
GR-10446 Athens,  
(telex: 221735 YDAG GR).

*Article 3*

Notwithstanding Article 5 (3) of Regulation (EEC) No 2131/93, in no case may successful tenders be lower than ECU 160 per tonne.

*Article 4*

Not later than Tuesday of the week following the final date for the submission of tenders, the Greek intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

*Article 5*

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

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> See page 76 of this Official Journal.

**COMMISSION REGULATION (EEC) No 2145/93**  
**of 29 July 1993**

**on the issuing of a standing invitation to tender for the resale on the internal market of 100 000 tonnes of durum wheat held by the Italian intervention agency**

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<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93<sup>(2)</sup> lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 100 000 tonnes of durum wheat held by the Italian intervention agency should be issued;

Whereas in the current situation it would be appropriate to reduce the minimum resale price to be observed to ECU 160 per tonne;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Italian intervention agency shall issue a standing invitation to tender for the resale on the internal market of 100 000 tonnes of durum wheat held by it in accordance with Regulation (EEC) No 2131/93.

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

Done at Brussels, 29 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

*Article 2*

1. The final date for the submission of tenders for the first partial invitation to tender shall be 4 August 1993.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 August 1993.

3. Tenders must be lodged with the Italian intervention agency:

Azienda di Stato per gli interventi nel mercato agricolo (AIMA),  
via Palestro 81,  
I-00100 Roma,  
(telex: 620331 — tel.: 49 49 91).

*Article 3*

Notwithstanding Article 5 (3) of Regulation (EEC) No 2131/93, in no case may successful tenders be lower than ECU 160 per tonne.

*Article 4*

Not later than Tuesday of the week following the final date for the submission of tenders, the Italian intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

*Article 5*

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

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> See page 76 of this Official Journal.

## COMMISSION REGULATION (EEC) No 2146/93

of 29 July 1993

on the issuing of a standing invitation to tender for the resale on the internal market of 250 000 tonnes of maize held by the Italian intervention agency

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<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93<sup>(2)</sup> lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 250 000 tonnes of maize held by the Italian intervention agency should be issued;

Whereas in the current situation it would be appropriate to reduce the minimum resale price to be observed to ECU 164,18 per tonne;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Italian intervention agency shall issue a standing invitation to tender for the resale on the internal market of 250 000 tonnes of maize held by it in accordance with Regulation (EEC) No 2131/93.

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

Done at Brussels, 29 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

*Article 2*

1. The final date for the submission of tenders for the first partial invitation to tender shall be 4 August 1993.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 8 September 1993.

3. Tenders must be lodged with the Italian intervention agency:

Azienda di Stato per gli interventi nel mercato agricolo (AIMA),  
via Palestro 81,  
I-00100 Roma  
(telex: 620331 — tel.: 49 49 91).

*Article 3*

Notwithstanding Article 5 (3) of Regulation (EEC) No 2131/93, in no case may successful tenders be lower than ECU 164,18 per tonne.

*Article 4*

Not later than Tuesday of the week following the final date for the submission of tenders, the Italian intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

*Article 5*

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

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> See page 76 of this Official Journal.

**COMMISSION REGULATION (EEC) No 2147/93**  
**of 30 July 1993**  
**on a special intervention measure for barley in Spain**

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<sup>(1)</sup>, and in particular Article 6 (2) thereof,

Whereas production of barley in Spain exceeds that country's requirements;

Whereas the possibility of that surplus being absorbed by the Community market is slight;

Whereas the Spanish market can be relieved by the export of part of this surplus quantity of barley to non-member countries; whereas, in view of world market prices for barley, export is possible only with the aid of a refund;

Whereas, however, the refund arrangements laid down in Article 13 of Regulation (EEC) No 1766/92 apply to export from any Member State; whereas such arrangements, therefore, are not only unsuitable for solving the problem in question but may also favour the export of barley from Member States where the market situation is different from that in Spain;

Whereas, in the absence of adequate measures, massive quantities of barley may be expected to enter intervention storage in Spain during the marketing year in accordance with Article 4 of Regulation (EEC) No 1766/92, the only possibility of disposal being in any case export to non-member countries; whereas, to avoid the abovementioned intervention, a special intervention measure intended to relieve the Spanish market should be taken pursuant to Article 6 of the said Regulation; whereas, furthermore, such a measure should take the form of a direct export incentive, which would avoid the high cost to the Community budget of buying in and storing products which would in any case then have to be exported; whereas the granting of a refund, the amount of which would be determined by tendering and which would apply only to products exported from Spain, would be an appropriate measure for this purpose;

Whereas the purpose of the measure is such that refunds should be granted only on barley of the quality required for acceptance for intervention, as defined in Commission Regulation (EEC) No 689/92<sup>(2)</sup>, as last amended by Regulation (EEC) No 1715/93<sup>(3)</sup>; whereas the competent agency must make certain barley exported is of this standard;

Whereas the nature and objectives of the said measures make it appropriate to apply in respect of it *mutatis mutandis* Article 13 of Regulation (EEC) No 1766/92 and the Regulations adopted for the application thereof, in particular Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(4)</sup>;

Whereas, since the interested parties are already aware of the terms of the invitation, a derogation may be made from the provisions of Regulation (EEC) No 1533/93 on the period that must elapse between the date of publication and the first closing date for the submission of tenders;

Whereas, pursuant to the abovementioned Regulation (EEC) No 1533/93, the commitments on the part of the tenderer include the obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas the cereals in question should be actually exported from the Member State for which a particular intervention measure was implemented; whereas it is, therefore, necessary to restrict the use of export licences to exports from the Member State in which the licence was applied for;

Whereas, in order to ensure equal treatment of all concerned, it is necessary to make provision for the licences issued to have an identical period of validity;

Whereas, in order to ensure the smooth operation of the export tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. A special intervention measure in the form of an export refund shall be applied in respect of 400 000 tonnes of barley produced in Spain.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 74, 20. 3. 1992, p. 18.

<sup>(3)</sup> OJ No L 159, 1. 7. 1993, p. 100.

<sup>(4)</sup> OJ No L 151, 23. 6. 1993, p. 15.

Article 13 of Regulation (EEC) No 1766/92 and the provisions adopted for the application of that Article shall apply *mutatis mutandis* to the said refund.

2. The Spanish intervention agency shall be responsible for implementing the measure referred to in paragraph 1.

#### Article 2

1. Tenders shall be invited in order to determine the amount of the refund referred to in Article 1.

2. The invitation to tender shall relate to the quantity of barley referred to in Article 1 (1) for export to all third countries.

3. The invitation shall remain open until 26 May 1994. During the period of its validity weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

By way of derogation from Article 5 (4) of Regulation (EEC) No 1533/93, the time limit for submission of tenders under the first partial invitation to tender shall expire on 5 August 1993.

4. Tenders must be submitted to the Spanish intervention agency named in the notice of invitation.

5. The tendering procedure shall take place in accordance with this Regulation and Regulation (EEC) No 1533/93.

#### Article 3

A tender shall be valid only if it relates to not less than 1 000 tonnes.

#### Article 4

Under the tendering procedure referred to in Article 2, box 20 of applications and the export licences shall indicate the following:

'Reglamento (CEE) n° 2147/93 certificado válido exclusivamente en España.'

#### Article 5

The security referred to in Article 6 of Regulation (EEC) No 1533/93 shall be ECU 12 per tonne.

#### Article 6

1. By way of derogation from Article 21 (1) of Commission Regulation (EEC) No 3719/88<sup>(1)</sup>, export licences issued in accordance with Article 9 (1) of Regulation (EEC) No 1533/93 shall, for the purpose of determi-

ning their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of the issue.

3. Notwithstanding Article 11 of Regulation (EEC) No 3719/88, export licences under this tendering procedure shall be valid in Spain only.

#### Article 7

1. The Commission shall decide, under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, either:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Article 2 of Regulation (EEC) No 1533/93, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund.

3. A refund awarded shall not be paid unless the barley exported is of at least intervention quality in Spain as defined in Article 2 (2) of Regulation (EEC) No 689/92.

The competent agency shall have an analysis made, by an approved body or company, of the landed goods and shall hold at the Commission's disposal an additional sample from each consignment taken and sealed in the presence of the tenderer or his representative.

Sampling and analysis costs shall be met by the tenderer.

4. Where the quality does not correspond to that defined in paragraph 3, the refund shall be reduced by ECU 15 per tonne.

#### Article 8

Tenders submitted must reach the Commission through the intervention of the Spanish intervention agency at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in Annex I, to the telex or telefax numbers in Annex II.

If no tenders are received, the Spanish intervention agency shall inform the Commission of this within the period indicated in the first paragraph.

The times fixed for the submission of tenders shall correspond to Belgian time.

#### Article 9

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

<sup>(1)</sup> OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 30 July 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

*ANNEX I*

**Weekly tender for the refund for the export of Spanish barley to all third countries**

(Regulation (EEC) No 2147/93)

(Closing date for the submission of tenders (date/time))

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund in ecu per tonne
1		
2		
3		
etc.		

*ANNEX II*

The only numbers to use to call Brussels (DG VI-C-1 (Attention : Messrs Thibault and Brus)) are :

- telex : 22037 AGREC B  
22070 AGREC B (Greek characters)
- telefax : — 295 01 32, 296 10 97, 236 25 15.

**COMMISSION REGULATION (EEC) No 2148/93****of 30 July 1993****fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1544/93 <sup>(2)</sup>, and in particular Article 11 thereof,

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt <sup>(3)</sup>, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules for the application of Regulation (EEC) No 2412/73 <sup>(4)</sup>, as

last amended by Regulation (EEC) No 560/91 <sup>(5)</sup>, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during April, May and June 1993,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(3)</sup> OJ No L 146, 14. 6. 1977, p. 9.

<sup>(4)</sup> OJ No L 302, 31. 10. 1973, p. 1.

<sup>(5)</sup> OJ No L 62, 8. 3. 1991, p. 26.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

*(ECU/tonne)*

CN code	Amounts to be deducted
1006 10 21	80,19
1006 10 23	88,36
1006 10 25	88,36
1006 10 27	88,36
1006 10 92	80,19
1006 10 94	88,36
1006 10 96	88,36
1006 10 98	88,36
1006 20 11	100,23
1006 20 13	110,45
1006 20 15	110,45
1006 20 17	110,45
1006 20 92	100,23
1006 20 94	110,45
1006 20 96	110,45
1006 20 98	110,45
1006 30 21	127,94
1006 30 23	161,62
1006 30 25	161,62
1006 30 27	161,62
1006 30 42	127,94
1006 30 44	161,62
1006 30 46	161,62
1006 30 48	161,62
1006 30 61	136,19
1006 30 63	173,25
1006 30 65	173,25
1006 30 67	173,25
1006 30 92	136,19
1006 30 94	173,25
1006 30 96	173,25
1006 30 98	173,25
1006 40 00	40,84

**COMMISSION REGULATION (EEC) No 2149/93****of 30 July 1993****fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced**

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

Having regard to Council Regulation (EEC) No 1030/77 of 17 May 1977 concluding the Interim Agreement between the European Economic Community and the Arab Republic of Egypt<sup>(1)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation (EEC) No 1030/77 provides that the variable component of the levy calculated in accordance with Article 2 of Commission Regulation (EEC) No 1620/93<sup>(2)</sup> on the import and export system for products processed from cereals and rice, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable during April, May and June 1993 to the products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40 are to be taken into consideration,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amounts referred to in the second subparagraph of paragraph 3 of the exchange of letters covered by Regulation (EEC) No 1030/77 to be deducted from the variable component applicable to bran and sharps originating in Egypt shall be as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 126, 23. 5. 1977, p. 1.

<sup>(2)</sup> OJ No L 155, 26. 6. 1993, p. 29.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

CN code	(ECU/tonne)
	Amount
2302 10 10	35,74
2302 10 90	76,58
2302 20 10	35,74
2302 20 90	76,58
2302 30 10	35,74
2302 30 90	76,58
2302 40 10	35,74
2302 40 90	76,58

## COMMISSION REGULATION (EEC) No 2150/93

of 30 July 1993

fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

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

Having regard to Council Regulation (EEC) No 1058/88 of 28 March 1988 on the import of bran, sharps and other residues derived from the sifting, milling or other working of cereals other than maize and rice and amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the variable component of the levy, calculated in accordance with Article 2 of Commission Regulation (EEC) No 1620/93 of 25 June 1993 on the import and export system for products processed from cereals and from rice<sup>(2)</sup>, is to be reduced by an amount equal to 40 % of the average of the variable components of the levies applicable to the product in question in the three months preceding the months during which that amount is fixed; whereas that reduction is applicable to products falling within CN codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90 for up to a maximum of 550 000 tonnes per year on the import of the products in question originating in Argentina and from any other third country which applies to exports of those products a special tax of an amount equal to that by which the variable amount of the

levy is reduced and which provides satisfactory proof of payment of that tax;

Whereas Commission Regulation (EEC) No 1193/88<sup>(3)</sup>, as amended by Regulation (EEC) No 84/89<sup>(4)</sup>, lays down the detailed rules of application of the special arrangements for imports of bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals other than maize and rice falling within CN codes 2302 30 and 2302 40,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount referred to in Article 1 of Regulation (EEC) No 1058/88 by which the variable amount of the levy applicable to imports of bran, sharps and other residues originating in Argentina and in any other third country meeting the conditions laid down in that Article must be reduced shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 104, 23. 4. 1988, p. 1.  
<sup>(2)</sup> OJ No L 155, 26. 6. 1993, p. 29.

<sup>(3)</sup> OJ No L 111, 30. 4. 1988, p. 87.  
<sup>(4)</sup> OJ No L 13, 17. 1. 1989, p. 13.

*ANNEX*

**to the Commission Regulation of 30 July 1993 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced**

*(ECU/tonne)*

CN code	Amount
2302 30 10	23,83
2302 30 90	51,05
2302 40 10	23,83
2302 40 90	51,05

## COMMISSION REGULATION (EEC) No 2151/93

of 30 July 1993

fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia<sup>(1)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria<sup>(2)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco<sup>(3)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with Article 2 of Commission Regulation (EEC) No 1620/93<sup>(4)</sup> on the import and export system for products processed from cereals and from rice is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within CN codes 2302 30 and 2302 40 during April, May and June 1993 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 169, 28. 6. 1976, p. 19.

<sup>(2)</sup> OJ No L 169, 28. 6. 1976, p. 37.

<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 53.

<sup>(4)</sup> OJ No L 155, 26. 6. 1993, p. 29.

## ANNEX

to the Commission Regulation of 30 July 1993 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

CN code	<i>(ECU/tonne)</i>	
	Amount	
2302 30 10	35,74	
2302 30 90	76,58	
2302 40 10	35,74	
2302 40 90	76,58	

## COMMISSION REGULATION (EEC) No 2152/93

of 30 July 1993

fixing the export refunds on beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 125/93 <sup>(2)</sup>, and in particular Article 18 thereof,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68 <sup>(3)</sup>, as last amended by Regulation (EEC) No 427/77 <sup>(4)</sup>, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas Regulation (EEC) No 32/82 <sup>(5)</sup>, as last amended by Regulation (EEC) No 3169/87 <sup>(6)</sup>, Regulation (EEC) No 1964/82 <sup>(7)</sup>, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84 <sup>(8)</sup>, as last amended by Regulation (EEC) No 3661/92 <sup>(9)</sup>, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be

granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other on adult bovine animals of a live weight of at least 300 kilograms; whereas experience gained in recent years has shown that live pure-bred breeding animals weighing at least 250 kilograms in the case of females and 300 kilograms in that of males should be treated in the same way as other bovine animals, subject to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 18, 27. 1. 1993, p. 1.

<sup>(3)</sup> OJ No L 156, 4. 7. 1968, p. 2.

<sup>(4)</sup> OJ No L 61, 5. 3. 1977, p. 16.

<sup>(5)</sup> OJ No L 4, 8. 1. 1982, p. 11.

<sup>(6)</sup> OJ No L 301, 24. 10. 1987, p. 21.

<sup>(7)</sup> OJ No L 212, 21. 7. 1982, p. 48.

<sup>(8)</sup> OJ No L 221, 18. 8. 1984, p. 28.

<sup>(9)</sup> OJ No L 370, 19. 12. 1992, p. 16.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(1)</sup> 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<sup>(2)</sup>;

Whereas Commission Regulation (EEC) No 3846/87<sup>(3)</sup>, as last amended by Regulation (EEC) No 1457/93<sup>(4)</sup>, establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(5)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(6)</sup>;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 1432/92<sup>(7)</sup>, as last amended by Regulation (EEC) No 3534/92<sup>(8)</sup>, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas that prohibition does not apply to certain cases given in the limitative enumeration in Articles 2 and 3 of that Regulation; whereas account should be taken of this when the refunds are fixed;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The list of products on which export refunds as referred to in Article 18 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 31 July 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(3)</sup> OJ No L 366, 24. 12. 1987, p. 1.

<sup>(4)</sup> OJ No L 142, 12. 6. 1993, p. 55.

<sup>(5)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(6)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(7)</sup> OJ No L 151, 3. 6. 1992, p. 4.

<sup>(8)</sup> OJ No L 358, 8. 12. 1992, p. 16.

## ANNEX

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (°)	Refund (°) (10)	Product code	Destination (°)	Refund (°) (10)
		— Live weight —			— Net weight —
0102 10 10 120	01	96,00	0201 20 20 120	02	120,00
0102 10 10 130	02	74,50		03	83,00
	03	52,00		04	41,50
	04	26,00	0201 20 30 110 (1)	02	118,00
0102 10 30 120	01	96,00		03	81,00
0102 10 30 130	02	74,50		04	40,50
	03	52,00	0201 20 30 120	02	87,50
	04	26,00		03	62,00
0102 10 90 120	01	96,00		04	31,00
0102 90 41 100	02	101,50	0201 20 50 110 (1)	02	207,50
0102 90 51 000	02	74,50		03	138,00
	03	52,00		04	69,00
	04	26,00	0201 20 50 120	02	153,00
0102 90 59 000	02	74,50		03	105,00
	03	52,00		04	52,50
	04	26,00	0201 20 50 130 (1)	02	118,50
0102 90 61 000	02	74,50		03	81,00
	03	52,00		04	40,50
	04	26,00	0201 20 50 140	02	87,50
0102 90 69 000	02	74,50		03	62,00
	03	52,00		04	31,00
	04	26,00	0201 20 90 700	02	87,50
0102 90 71 000	02	101,50		03	62,00
	03	68,00		04	31,00
	04	34,00	0201 30 00 050 (2)	05	106,50
0102 90 79 000	02	101,50	0201 30 00 100 (2)	02	296,50
	03	68,00		03	198,00
	04	34,00		04	99,00
		— Net weight —		06	253,00
0201 10 00 110 (1)	02	118,50	0201 30 00 150 (2)	10	157,00
	03	81,00		11	133,00
	04	40,50		03	119,00
0201 10 00 120	02	87,50	0201 30 00 190 (2)	02	121,50
	03	62,00		03	80,00
	04	31,00		04	40,00
0201 10 00 130 (1)	02	163,00		06	97,50
	03	109,00		07	85,50
	04	54,50			
0201 10 00 140	02	120,00			
	03	83,00			
	04	41,50			
0201 20 20 110 (1)	02	163,00			
	03	109,00			
	04	54,50			

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>				
Product code	Destination (?)	Refund (°) (°)	Product code	Destination (?)	Refund (°) (°)		
		— Net weight —			— Net weight —		
0202 10 00 100	02	87,50	1602 50 10 120	02	134,50 (°)		
	03	62,00		03	108,00 (°)		
	04	31,00		04	108,00 (°)		
0202 10 00 900	02	120,00	1602 50 10 140	02	119,50 (°)		
	03	83,00		03	96,00 (°)		
	04	41,50		04	96,00 (°)		
0202 20 10 000	02	120,00	1602 50 10 160	02	96,00 (°)		
	03	83,00		03	77,00 (°)		
	04	41,50		04	77,00 (°)		
0202 20 30 000	02	87,50	1602 50 10 170	02	63,50 (°)		
	03	62,00		03	51,00 (°)		
	04	31,00		04	51,00 (°)		
0202 20 50 100	02	153,00	1602 50 10 190	02	63,50		
	03	105,00		03	51,00		
	04	52,50		04	51,00		
0202 20 50 900	02	87,50	1602 50 10 240	02	36,00		
	03	62,00		03	36,00		
	04	31,00		04	36,00		
0202 20 90 100	02	87,50	1602 50 10 260	02	26,00		
	03	62,00		03	26,00		
	04	31,00		04	26,00		
0202 30 90 100 (*)	05	106,50	1602 50 10 280	02	16,00		
0202 30 90 400 (*)	10	157,00		03	16,00		
	11	133,00		04	16,00		
	03	119,00	1602 50 31 125	01	116,00 (°)		
04	59,50	1602 50 31 135		01	73,00 (°)		
06	137,50			1602 50 31 195	01	36,00	
07	85,50		1602 50 31 325		01	103,00 (°)	
0202 30 90 500 (*)	02	121,50			1602 50 31 335	01	65,00 (°)
	03	80,00		1602 50 31 395		01	36,00
	04	40,00	1602 50 39 125			01	116,00 (°)
06	97,50	1602 50 39 135			01	73,00 (°)	
07	85,50			1602 50 39 195	01	36,00	
0202 30 90 900	07		85,50		1602 50 39 325	01	103,00 (°)
	0206 10 95 000	02	121,50			1602 50 39 335	01
		03	80,00	1602 50 39 395			01
04		40,00	1602 50 39 425		01		77,00 (°)
06	97,50	1602 50 39 435			01	48,50 (°)	
0206 29 91 000	02			121,50	1602 50 39 495	01	36,00
	03		80,00	1602 50 39 505		01	36,00
	04	40,00	1602 50 39 525			01	77,00 (°)
06	97,50	1602 50 39 535			01	48,50 (°)	
0210 20 90 100	08			97,50	1602 50 39 595	01	36,00
	09		57,50	01		77,00 (°)	
0210 20 90 300	02	121,50			48,50 (°)		
0210 20 90 500 (°)	02	121,50			36,00		

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (7)	Refund (8) (10)	Product code	Destination (7)	Refund (8) (10)
		— Net weight —			— Net weight —
1602 50 39 615	01	36,00	1602 50 80 495	01	36,00
1602 50 39 625	01	16,00	1602 50 80 505	01	36,00
1602 50 39 705	01	36,00	1602 50 80 515	01	16,00
1602 50 39 805	01	26,00	1602 50 80 535	01	48,50 (9)
1602 50 39 905	01	16,00	1602 50 80 595	01	36,00
1602 50 80 135	01	73,00 (9)	1602 50 80 615	01	36,00
1602 50 80 195	01	36,00	1602 50 80 625	01	16,00
1602 50 80 335	01	65,00 (9)	1602 50 80 705	01	36,00
1602 50 80 395	01	36,00	1602 50 80 805	01	26,00
1602 50 80 435	01	48,50 (9)	1602 50 80 905	01	16,00

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86.

(7) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, West, Central East and Southern African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

03 European third countries, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Viet Nam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, except Austria, Sweden and Switzerland.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79.

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and Southern African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

09 Switzerland.

10 North African third countries, Near and Middle East, Central, East and Southern African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

11 West African third countries.

(8) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(9) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.

(10) 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.

**NB:** The countries are as defined in Commission amended Regulation (EEC) No 3518/91.

The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

**COMMISSION REGULATION (EEC) No 2153/93**

of 30 July 1993

**fixing production refunds on cereals and rice**

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<sup>(1)</sup>, and in particular Article 7 (3) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(2)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(3)</sup>, and in particular Article 9 (3) thereof,Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors<sup>(4)</sup>, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize or wheat changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1722/93 shall be ECU 117,36 per tonne.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.<sup>(2)</sup> OJ No L 166, 25. 6. 1976, p. 1.<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 5.<sup>(4)</sup> OJ No L 159, 1. 7. 1993, p. 17.

**COMMISSION REGULATION (EEC) No 2154/93**  
**of 30 July 1993**  
**extending the suspension of advance fixing of export refunds on beef and veal**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 125/93 <sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 885/68 of 28 June 1968 laying down general rules for granting export refunds on beef and veal and criteria for fixing the amount of such refunds <sup>(3)</sup>, as last amended by Regulation (EEC) No 427/77 <sup>(4)</sup>, and in particular the first subparagraph of Article 5 (4) thereof,

Whereas, in view of the market situation, maintaining refunds for certain live bovines could lead to applications for refunds to be fixed in advance being submitted for speculative purposes; whereas advance fixing of refunds should therefore be suspended;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The advance fixing of export refunds on the products covered by CN code 0102 90 referred to in the Annex to Regulation (EEC) No 2152/93 <sup>(5)</sup> is hereby suspended from 31 July 1993.

*Article 2*

This Regulation shall enter into force on 31 July 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 18, 27. 1. 1993, p. 1.

<sup>(3)</sup> OJ No L 156, 4. 7. 1968, p. 2.

<sup>(4)</sup> OJ No L 61, 5. 3. 1977, p. 16.

<sup>(5)</sup> See page 120 of this Official Journal.

## COMMISSION REGULATION (EEC) No 2155/93

of 30 July 1993

## altering the export refunds on white sugar and raw sugar exported in the natural 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1965/93 <sup>(3)</sup>, as amended by Regulation (EEC) No 2058/93 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1965/93 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(5)</sup> 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 <sup>(6)</sup>,

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, as fixed in the Annex to amended Regulation (EEC) No 1965/93, are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1993.

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

Done at Brussels, 30 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 177, 21. 7. 1993, p. 22.

<sup>(4)</sup> OJ No L 187, 29. 7. 1993, p. 15.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

## to the Commission Regulation of 30 July 1993 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund <sup>(1)</sup>
	— ECU/100 kg —
1701 11 90 100	35,64 <sup>(1)</sup>
1701 11 90 910	33,52 <sup>(1)</sup>
1701 11 90 950	<sup>(2)</sup>
1701 12 90 100	35,64 <sup>(1)</sup>
1701 12 90 910	33,52 <sup>(1)</sup>
1701 12 90 950	<sup>(2)</sup>
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3874
	— ECU/100 kg —
1701 99 10 100	38,74
1701 99 10 910	38,74
1701 99 10 950	38,74
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3874

<sup>(1)</sup> 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.

<sup>(2)</sup> 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).

<sup>(3)</sup> 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.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 28 July 1993

concerning protection measures in relation to foot-and-mouth disease in Russia

(93/418/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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<sup>(1)</sup>, as last amended by Directive 92/118/EEC<sup>(2)</sup>, and in particular Article 19 thereof,

Whereas Commission Regulation (EEC) No 93/242/EEC<sup>(3)</sup>, as last amended by Commission Decision 93/397/EEC<sup>(4)</sup>, concerning the importation into the Community of certain live animals and their products originating from certain European countries in relation to foot-and-mouth disease provides for a prohibition on the imports of live animals, fresh meat and certain meat products of susceptible species from countries which have not given certain additional guarantees ;

Whereas an outbreak of foot-and-mouth disease has been confirmed in Russia ;

Whereas the occurrence of foot-and-mouth disease in Russia presents a serious threat to the herds of Member States, in view of the trade in certain animal products ;

Whereas it is necessary therefore to implement a prohibition on imports of products of susceptible species from Russia, except treated hides and skins ;

Whereas this Decision is in accordance with the opinion of the Standing Veterinary Committee,

*Article 1*

1. Member States shall not authorize the importation of products of the bovine, ovine, caprine, porcine and other biungulate species not mentioned in Articles 3 and 4 of Decision 93/242/EEC originating in the territory of Russia.

2. The prohibition mentioned in paragraph 1 shall not apply to hides and skins subjected to either of the following treatments :

- salted for seven days with sea salt to which has been added 2 % sodium carbonate, or
- initial processing of the hides with lime at pH 12 to 13 for one day (eight to 10 hours), followed by proper neutralization of the lime and subsequent treatment with acid at pH 1 to 3 for one day (eight to 10 hours).

Care must be taken to effectively separate treated hides from untreated hides, to prevent recontamination.

3. Member States shall ensure that the certificates accompanying hides and skins to be sent from Russia shall bear the following words :

'Hides and skins conforming to Commission Decision 93/418/EEC of 28 July 1993 concerning protection measures in relation to foot-and-mouth disease in Russia.'

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 56.

<sup>(2)</sup> OJ No L 62, 15. 3. 1993, p. 49.

<sup>(3)</sup> OJ No L 110, 4. 5. 1993, p. 36.

<sup>(4)</sup> OJ No L 173, 16. 7. 1993, p. 36.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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## COMMISSION DECISION

of 28 July 1993

**amending for the third time Decision 93/180/EEC concerning certain protection measures with regard to foot-and-mouth disease in Italy and repealing Decision 93/168/EEC**

(93/419/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989, concerning veterinary checks in intra-Community trade with a view to the completion of the internal market<sup>(3)</sup>, as last amended by Council Directive 92/118/EEC and, in particular, Article 9,

Whereas since 28 February 1993 several outbreaks of foot-and-mouth disease have been declared in several regions in Italy;

Whereas the Commission has sent missions to Italy to examine the foot-and-mouth-disease situation;

Whereas the foot-and-mouth disease situation in Italy is liable to endanger the herds of other Member States of the trade in live biungulate animals and certain of their products;

Whereas following the outbreaks of foot-and-mouth disease the Commission adopted several Decisions, particularly 93/180/EEC of 26 March 1993 concerning certain protective measures with regard to foot-and-mouth disease in Italy and repealing Decision 93/168/EEC<sup>(4)</sup>, as last amended by Decision 93/336/EEC<sup>(5)</sup>;

Whereas the outbreaks have, as a result of the measures introduced and the action taken by the Italian authorities, been confined to certain parts of Italy's territory;

Whereas as a result of serological testing and clinical examinations restrictions can be removed from the provinces of Benevento, Avellino, Napoli and Salerno;

Whereas there is the possibility that illegal vaccination has been carried out in the province of Caserta and

furthermore the origin of outbreaks in this province remains unknown; whereas it is necessary to retain restrictions in Caserta pending results of inquiries;

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*

Decision 93/180/EEC is hereby amended as follows:

1. In Article 1 (2) and (3), the words '93/336/EEC of 28 May 1993' are replaced by '93/419/EEC of 28 July 1993'.
2. In Article 2 (3), the words '93/336/EEC of 28 May 1993' are replaced by '93/414/EEC of 28 July 1993'.
3. In Article 3 (4), the words '93/336/EEC of 28 May 1993' are replaced by '93/419/EEC of 28 July 1993'.
4. In Article 4 (4), the words '93/336/EEC of 28 May 1993' are replaced by '93/419/EEC of 28 July 1993'.
5. In Article 5 (4), the words '93/336/EEC of 28 May 1993' are replaced by '93/419/EEC of 28 July 1993'.
6. In Article 6 (3) and (4), the words '93/336/EEC of 28 May 1993' are replaced by '93/419/EEC of 28 July 1993'.
7. In Article 7 (3), the words '93/336/EEC of 28 May 1993' are replaced by '93/419/EEC of 28 July 1993'.
8. In Article 9 (3), the words '93/336/EEC of 28 May 1993' are replaced by '93/419/EEC of 28 July 1993'.
9. The Annex is replaced by the Annex to this Decision.

*Article 2*

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

<sup>(1)</sup> OJ No L 224, 18. 8. 1990, p. 29.

<sup>(2)</sup> OJ No L 62, 15. 3. 1993, p. 49.

<sup>(3)</sup> OJ No L 395, 30. 12. 1989, p. 13.

<sup>(4)</sup> OJ No L 75, 30. 3. 1993, p. 21.

<sup>(5)</sup> OJ No L 132, 29. 5. 1993, p. 143.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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*ANNEX*

1. Parts of the territory of Italy subject to restrictions on trade in live animals until 15 September 1993 ;  
the provinces of :  
Avellino, Benevento, Napoli, Salerno.
  2. Parts of the territory of Italy subject to restrictions on trade in live animals :  
the province of :  
Caserta.
  3. Parts of the territory of Italy subject to restrictions on the trade in meat obtained from animals originating in and slaughtered after 1 February and before 1 May 1993 and products prepared using such meat, and other animal products produced between those dates :  
the provinces of :  
Verona, Taranto, Bari, Brindisi, Foggia, Lecce and Reggio di Calabria.
  4. Parts of the territory of Italy subject to restrictions on the trade in meat obtained from animals originating in and slaughtered after 1 February and before 15 June 1993 and products prepared using such meat, and other animal products produced between those dates :  
the provinces of :  
Cantanzaro, Cosenza, Potenza and Matera.
  5. Parts of the territory of Italy subject to restrictions on the trade in meat obtained from animals originating in and slaughtered after 1 February and before 15 September 1993 and products prepared using such meat, and other animal products produced between those dates :  
the provinces of :  
Avellino, Benevento, Napoli, Salerno.
  6. Parts of the territory of Italy subject to restrictions on the trade in meat obtained from animals originating in and slaughtered after 1 February 1993 and products prepared using such meat, and other animal products produced after that date :  
the province of :  
Caserta.
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## COMMISSION DECISION

of 28 July 1993

concerning protection measures in relation to foot-and-mouth disease in Bulgaria, amending Decision 93/372/EEC and Decision 92/325/EEC and repealing Decision 91/536/EEC

(93/420/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries <sup>(1)</sup>, as last amended by Regulation (EEC) No 1601/92 <sup>(2)</sup>, and in particular Articles 6 (2), 8, 14 (3) (c) and 16 thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC <sup>(3)</sup>, as last amended by Council Decision 92/438/EEC <sup>(4)</sup>, and in particular Article 18 (7) thereof,

Having regard to 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 <sup>(5)</sup>, as last amended by Directive 92/118/EEC <sup>(6)</sup>, and in particular Article 19 (7) thereof,

Whereas an outbreak of foot-and-mouth disease has been confirmed in Bulgaria;

Whereas the Commission has sent a mission to Bulgaria to examine the foot-and-mouth disease situation;

Whereas Commission Decision 93/372/EEC of 24 June 1993 concerning protection measures in relation to foot-and-mouth disease in Bulgaria, amending for the third time Decision 93/242/EEC and repealing Decision 93/343/EEC <sup>(7)</sup> provided for regionalization of Bulgaria regarding exports of certain live animals and products to the Community;

Whereas following the outbreak of foot-and-mouth disease, Bulgaria permitted the use of ring vaccination;

Whereas Council Directive 72/462/EEC provides conditions for imports of live animals fresh meat and meat products from third countries under the foot-and-mouth disease conditions prevailing in Bulgaria;

Whereas Commission Decision 93/242/EEC of 30 April 1993 concerning the importation into the Community of certain live animals and their products originating in certain European countries in relation to foot-and-mouth disease <sup>(8)</sup>, as last amended by Decision 93/397/EEC <sup>(9)</sup>, lays down additional conditions regarding certification and prenotification of consignments from certain countries and parts of countries;

Whereas the animal health conditions and veterinary certification for imports of domestic animals of the bovine and porcine species from Bulgaria were established by Commission Decision 92/325/EEC <sup>(10)</sup>, as amended by Decision 92/526/EEC <sup>(11)</sup>;

Whereas the animal health conditions and veterinary certification for imports of fresh meat from Bulgaria were established by Commission Decision 92/222/EEC <sup>(12)</sup>;

Whereas it is necessary to clarify the conditions for importation of certain live animals and their products into the Community from Bulgaria, in relation to the provisions of Directive 72/462/EEC and Decision 93/242/EEC;

Whereas it is necessary to adjust the measures and amend the animal health conditions and veterinary certification for live animals and fresh meat regarding additional measures to be taken following the use of vaccination;

Whereas it is necessary, therefore, to amend Decisions 93/372/EEC and 93/325/EEC;

Whereas, after a previous outbreak of foot-and-mouth disease in Bulgaria, Commission Decision 91/536/EEC <sup>(13)</sup> was introduced; whereas the conditions of the present Decision take the place of those of 91/536/EEC; whereas Decision 91/536/EEC may be repealed;

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(3)</sup> OJ No L 268, 24. 9. 1991, p. 56.

<sup>(4)</sup> OJ No L 243, 25. 8. 1992, p. 27.

<sup>(5)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(6)</sup> OJ No L 62, 15. 3. 1993, p. 49.

<sup>(7)</sup> OJ No L 155, 26. 6. 1993, p. 91.

<sup>(8)</sup> OJ No L 110, 4. 5. 1993, p. 36.

<sup>(9)</sup> OJ No L 173, 16. 7. 1993, p. 36.

<sup>(10)</sup> OJ No L 177, 30. 6. 1992, p. 52.

<sup>(11)</sup> OJ No L 332, 18. 11. 1992, p. 21.

<sup>(12)</sup> OJ No L 108, 25. 4. 1992, p. 38.

<sup>(13)</sup> OJ No L 291, 23. 10. 1991, p. 20.

Whereas this Decision is in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION :

*Article 1*

Commission Decision 93/372/EEC is hereby amended as follows :

1. In Article 1, the following is added :

'3. Without prejudice to the application of the relevant provisions of Decision 93/242/EEC, the importation of bovine, porcine, ovine, caprine and other biungulate species from those districts in Bulgaria not mentioned in paragraph 1 shall be subject to the conditions laid down in Article 3 of Commission Decision 92/325/EEC (\*).

(\* OJ No L 177, 30. 6. 1992, p. 52.'

2. The following Article 2 is added :

*Article 2*

1. Member States shall not authorize the importation of fresh meat of the bovine, ovine, caprine, porcine and other biungulate species originating in the districts of Bulgaria listed in Article 1 (1).

2. Without prejudice to the application of the relevant provisions of Decision 93/242/EEC the importation of fresh meat of the bovine, ovine, caprine, porcine and other biungulate species from those regions in Bulgaria not mentioned in Article 1 (1) shall be subject to the conditions laid down in Commission Decision 92/222/EEC (\*\*).

(\*\*) OJ No L 108, 25. 4. 1992, p. 38.'

3. Articles 2, 3, 4 and 5 are renumbered accordingly.

4. Article 3 is replaced by the following :

*Article 3*

Member States shall not authorize the importation of products not mentioned in Article 2 of the bovine, ovine, caprine, porcine and other biungulate species originating in the districts of Bulgaria listed in Article 1 (1).'

*Article 2*

Decision 92/325/EEC is hereby amended as follows :

1. In Article 3 (1) the words 'until 29 August 1992' are deleted.

2. In Article 3 (1) the last paragraph is deleted.

3. In Annexes A and B, Section V, paragraph 1 is replaced by the following :

'1. that Bulgaria has during the past 12 months been free from rinderpest, contagious bovine pleuropneumonia, vesicular stomatitis and bluetongue, and that no vaccinations have been carried out against any of those diseases during the past 12 months.'

4. In Annexes A and B, Section V, paragraph 2 c, the second indent is deleted.

5. In Annexes A and B, Section VI, the words '(Delete unless required by importing Member State in application of Article 3 (1) of Decision 92/325/EEC)' are deleted.

6. In Annexes C and D, Section V, paragraph 1 is replaced by the following :

'1: that Bulgaria has during the past 12 months been free from vesicular stomatitis, classical swine fever, African swine fever, porcine enteroviral encephalomyelitis (Teschén disease), swine vesicular disease and vesicular exanthema, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against classical swine fever is prohibited.'

7. In Annexes C and D, Section VI, the words '(Delete unless required by importing Member State in application of Article 3 (1) of Decision 92/325/EEC)' are deleted.

*Article 3*

Decision 91/536/EEC is hereby repealed.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*