

Official Journal

of the European Communities

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 120/94

of 25 January 1994

amending Regulation (EEC) No 1533/93 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, and amending Regulation (EEC) No 2131/93 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 Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 13 thereof,

Whereas, in order not to hinder the majority of Community exports by requesting proof of arrival at destination, Commission Regulation (EEC) No 1533/93⁽³⁾ provides that submission of such proof is not required for payment of refunds fixed by invitation to tender whenever exportation takes place by sea; whereas those same provisions are laid down in Commission Regulation (EEC) No 2131/93⁽⁴⁾;

Whereas in the cereals sector the only refund rate lower than that applicable to exports to all third countries is that applicable to exports to Switzerland, Austria and Liechtenstein; whereas, as a result, provision should be made to ensure that products for which an 'all third countries' refund rate has been granted are not exported to the aforementioned countries; whereas, consequently, the refund fixed by invitation to tender should be adjusted for exports intended for those countries;

Whereas, in order to ensure that exports are made by sea, Article 14 of Regulation (EEC) No 1533/93 and Article 17 (3) of Regulation (EEC) No 2131/93 provide that the minimum size of vessels suitable for sea transport is to be 2 500 tonnes GRT; whereas it has been established that the concept of 'GRT' is not the most appropriate for the

purposes of the aforementioned objectives; whereas, for those purposes, it is preferable to take the quantities actually loaded as the reference; whereas, as a result, Regulations (EEC) No 1533/93 and (EEC) No 2131/93 should be amended;

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

Regulation (EEC) No 1533/93 is hereby amended as follows:

1. The first paragraph of Article 14 is replaced by the following:

'Notwithstanding Article 18 of Regulation (EEC) No 3665/87, proof of completion of customs formalities for release for consumption shall not be required for payment of refunds fixed by invitation to tender, on condition that the operator provides proof that a quantity of at least 1 500 tonnes of cereals products has left the customs territory of the Community on board a vessel suitable for sea transport.'

2. The following Article 14a is inserted:

'Article 14a

Where the operator provides proof of completion of customs formalities for release for consumption in Switzerland, Austria or Liechtenstein, the amount of the "all third countries" export refund fixed by invitation to tender shall be reduced by the difference between that amount and the amount of the export refund in force for the aforementioned destinations on the day of the award of the contract.'

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 191, 31. 7. 1993, p. 76.

Article 2

The second indent of Article 17 (3) of Regulation (EEC) No 2131/93 is hereby replaced by the following:

- 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 a quantity of at least 1 500 tonnes of cereals products has left the customs territory of the Community on a vessel 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, on the single administrative document or on the national document proving that the goods have left the customs territory of the Community:

Exportación de cereales por vía marítima; artículo 17 del Reglamento (CEE) nº 2131/93

Eksport af korn ad søvejen — Artikel 17 i forordning (EØF) nr. 2131/93

Getreideausfuhr auf dem Seeweg — Verordnung (EWG) Nr. 2131/93 Artikel 17

Εξαγωγή σιτηρών διά θαλάσσης — Άρθρο 17 του κανονισμού (ΕΟΚ) αριθ. 2131/93

Export of cereals by sea — Article 17 of Regulation (EEC) No 2131/93

Exportation de céréales par voie maritime — Règlement (CEE) nº 2131/93, article 17

Esportazione di cereali per via marittima — articolo 17 del regolamento (CEE) n. 2131/93

Uitvoer van graan over zee — (EEG) nr. 2131/93, artikel 17

Exportação de cereais por via marítima — artigo 17º do Regulamento (CEE) nº 2131/93.

Article 3

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

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 121/94

of 25 January 1994

relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 518/92 of 27 February 1992 relating to certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part⁽¹⁾, as last amended by Regulation (EEC) No 2233/93⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 519/92 of 27 February 1992 relating to certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Community and the European Coal and Steel Community, of the one part, and the Republic of Hungary, of the other part⁽³⁾, as last amended by Regulation (EEC) No 2234/93⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 520/92 of 27 February 1992 relating to certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽⁵⁾, as last amended by Regulation (EEC) No 2235/93⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽⁷⁾, as last amended by Commission Regulation (EEC) No 2193/93⁽⁸⁾, and in particular Article 9 thereof,

Whereas the Community concluded Interim Agreements on trade and trade-related matters with Poland⁽⁹⁾, Hungary⁽¹⁰⁾ and the Czech and Slovak Federal Republic⁽¹¹⁾;

Whereas the Community subsequently concluded Additional Protocols to the Interim Agreements⁽¹²⁾; whereas those Additional Protocols provide for advancing of the date of application of the concessions provided for in the said Agreements to 1 July 1993; whereas the volumes and import levy reductions for the cereals sector should therefore be adjusted with effect from 1 July 1993;

Whereas the Community signed Additional Protocols⁽¹³⁾ with the Czech Republic and the Slovak Republic after the dissolution of the Czech and Slovak Federal Republic on 1 January 1993; whereas those Additional Protocols provide, *inter alia*, for the division of the Community concessions granted under the Interim Agreement between the two successor States;

Whereas the Additional Protocols provide for the opening of separate quotas for the Czech Republic and the Slovak Republic from 1 January 1994; whereas certain rules of application should therefore be revised in that connection, and in particular the procedure for issuing licences should be simplified;

Whereas the Interim Agreements provide for a reduction in import levies for certain products in the cereals sector; whereas this reduction is to be progressively applied and with certain quantitative restrictions;

Whereas, in particular, the origin of the products should be established by making their free circulation conditional upon the presentation of the EUR.1 certificate provided for by Protocol 4 and issued by the exporting countries;

Whereas there should be provision for licences for the importation of the products in question, within the quantities fixed, to be issued following a review period and subject, where necessary, to a uniform percentage reduction in the quantities applied for; whereas applicants may withdraw their applications where a uniform percentage reduction is applied;

Whereas the information to be included on the applications and licences must be specified, notwithstanding Articles 8 and 21 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common

(¹) OJ No L 56, 29. 2. 1992, p. 3.

(²) OJ No L 200, 10. 8. 1993, p. 3.

(³) OJ No L 56, 29. 2. 1992, p. 6.

(⁴) OJ No L 200, 10. 8. 1993, p. 4.

(⁵) OJ No L 56, 29. 2. 1992, p. 9.

(⁶) OJ No L 200, 10. 8. 1993, p. 5.

(⁷) OJ No L 181, 1. 7. 1992, p. 21.

(⁸) OJ No L 196, 5. 8. 1993, p. 22.

(⁹) OJ No L 114, 30. 4. 1992, p. 2.

(¹⁰) OJ No L 116, 30. 4. 1992, p. 2.

(¹¹) OJ No L 115, 30. 4. 1992, p. 2.

(¹²) OJ No L 195, 4. 8. 1993, p. 43.

(¹³) OJ No L 349, 31. 12. 1993.

detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3519/93⁽²⁾;

Whereas, to take account of delivery conditions, import licences should be valid from the day they are issued to the end of the third month following that of issue; whereas the validity of the licences must be limited to the end of January where they are issued in respect of the maximum quantity for the previous year;

Whereas Article 12 of Commission Regulation (EEC) No 891/89⁽³⁾, as last amended by Regulation (EC) No 3579/93⁽⁴⁾, notwithstanding, in order to ensure efficient management of the scheme, the security in respect of import licences is fixed at ECU 25 per tonne;

Whereas the importation of brewing barley must be subject to measures to verify its use;

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

In accordance with Article 14 (2) of the Interim Agreements, partial exemption from the import levy subject to the quantitative limits and reduction rates set out in the Annex to this Regulation shall apply to products originating in the Republics in question and listed in the Annex hereto.

In accordance with Protocol 4 of the Interim Agreements, products placed in free circulation on the internal market of the Community shall be accompanied by the original of the EUR.1 certificate issued by the competent authorities of the exporting country.

Article 2

1. Applications for import licences shall be lodged with the competent authorities of each Member State on the second Monday of each month up to 1 p.m. Belgian time.

For a given year, licence applications may not relate to a quantity greater than that available for imports of the product in question.

2. The Member States shall send import licence applications to the Commission by telex or by telefax by 6 p.m. Belgian time on the day on which they are lodged.

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 16.

⁽³⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 326, 28. 12. 1993, p. 15.

This notification shall be made separately from that of other applications for cereal import licences.

3. If import licence applications exceed the quantites in the annual quota, the Commission shall fix a single coefficient for reducing the quantites applied for not later than the third working day following the submission of the applications. Licence applications may be withdrawn within one working day following the date on which the reduction coefficient was fixed.

Without prejudice to the application of paragraph 3, a licence shall be issued on the fifth working day following the day on which the application for the licence was lodged.

4. Article 21 (1) of Regulation (EEC) No 3719/88 notwithstanding, the period of validity of the licence shall start from the day of its actual issue.

Article 3

Article 8 (1) of Regulation (EEC) No 891/89 notwithstanding, import licences shall be valid from their date of issue until the end of the third month following that in which they were issued. Nevertheless, the validity of licences shall be restricted to the end of January, where licences issued in respect of the previous year's quantity are concerned.

Article 4

Article 8 (4) of Regulation (EEC) No 3719/88 notwithstanding, the quantity placed in free circulation may not exceed that shown in boxes 17 and 18 of the import licence. To this end the figure '0' shall be entered in box 19 of the licence.

Article 5

For the product to be imported with the levy reduction as provided for in Article 1, the import licence application and the licence shall show:

- (a) in box 8, the country of origin of the product;
- (b) in box 20, one of the following entries:

- Reglamento (CE) n° 121/94;
- Forordning (EF) nr. 121/94;
- Verordnung (EG) Nr. 121/94;
- Κανονισμός (ΕΚ) αριθ. 121/94;
- Regulation (EC) No 121/94;
- Règlement (CE) n° 121/94;
- Regolamento (CE) n. 121/94;
- Verordening (EG) nr. 121/94;
- Regulamento (CE) n° 121/94.

The licence shall carry with it an obligation to import from the said country.

The licence shall also carry in box 24, depending on the levy reduction applicable, one of the following entries :

- Exacción reguladora reducida un 60 %
- Nedsættelse af importafgiften med 60 %
- Ermäßigung der Abschöpfung um 60 %
- Μειωμένη εισφορά κατά 60 %
- Levy reduction 60 %
- Prélèvement réduit de 60 %
- Prelievo ridotto del 60 %
- Met 60 % verlaagde heffing
- Direito nivelador reduzido de 60 %

Article 6

Article 12 (a) and (b) of Regulation (EEC) No 891/89 notwithstanding, the security in the case of import licences covered by this Regulation shall be ECU 25 per tonne.

Article 7

Commission Regulation (EEC) No 585/92⁽¹⁾ is hereby repealed.

Article 8

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

It shall apply with effect from 1 January 1994.

However, as regards the quantites and levies provided for in points I, IIA and III of the Annex, it shall apply from 1 July 1993.

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 62, 7. 3. 1992, p. 40.

ANNEX

I. Products originating in the Republic of Hungary

(tonnes)

Period	1. 7. 1993 to 30. 6. 1994	1. 7. 1994 to 30. 6. 1995	1. 7. 1995 to 30. 6. 1996
Levy reduction (%)	60	60	60
CN code 1001 90 99	200 000	216 000	232 000

II.A. Products originating in the Czech and Slovak Federal Republic

(tonnes)

Period	1. 7. to 31. 12. 1993
Levy reduction (%)	60
CN Code 1003 00 90	17 750
CN code 1101 00 00	11 750
CN code 1107 10 99	20 750

II.B. Products originating in the Czech Republic

(tonnes)

Period	1. 1. to 30. 6. 1994	1. 7. 1994 to 30. 6. 1995	1. 7. 1995 to 30. 6. 1996
Levy reduction (%)	60	60	60
CN code 1003 00 90	23 667	25 333	27 333
CN code 1101 00 00	15 667	17 000	18 000
CN code 1107 10 99	24 371	29 667	31 667

II.C. Products originating in the Slovak Republic

(tonnes)

Period	1. 1. to 30. 6. 1994	1. 7. 1994 to 30. 6. 1995	1. 7. 1995 to 30. 6. 1996
Levy reduction (%)	60	60	60
CN code 1003 00 90	11 833	12 667	13 667
CN code 1101 00 00	7 833	8 500	9 000
CN code 1107 10 99	12 186	14 833	15 833

III. Products originating in the Republic of Poland

(tonnes)

Period	1. 7. 1993 to 30. 6. 1994	1. 7. 1994 to 30. 6. 1995	1. 7. 1995 to 30. 6. 1996
Levy reduction (%)	60	60	60
CN code 1008 10 00	3 800	4 100	4 350

COMMISSION REGULATION (EC) No 122/94

of 25 January 1994

laying down certain detailed rules for the application of Council Regulation (EEC) No 1601/91 on the definition, description and presentation of aromatized wines, aromatized wine-based drinks, and aromatized wine-product cocktails

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized-based drinks and aromatized wine-product cocktails⁽¹⁾, as amended by Regulation (EEC) No 3279/92⁽²⁾, and in particular the first sub-indent of the third indent of Article 2 (1) (a) and the fourth indent of Article 2 (1) (b) thereof,

Whereas the use of flavouring substances identical to natural flavouring substances and the addition of alcohol in the production of certain aromatized drinks should be permitted under certain circumstances in particular in order to conform to the traditions and customs of the various regions of the Community;

Whereas this Regulation must apply without prejudice to the transitional provisions of Commission Regulation (EEC) No 3664/91 of 16 December 1991 laying down transitional measures for aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails⁽³⁾, as last amended by Regulation (EEC) No 1791/93⁽⁴⁾; whereas these transitional measures apply until 16 December 1993;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Implementation Committee for Aromatized wines, Aromatized Wine-based drinks and Aromatized Wine-product Cocktails,

HAS ADOPTED THIS REGULATION:

Article 1

1. The use of a flavouring substance identical to natural vanillin as defined in Article 1 (2) (b) (ii) of Council Directive 88/388/EEC⁽⁵⁾ is hereby authorized in the manufacture of the aromatized wines defined in Article 2 (1) (a) of Regulation (EEC) No 1601/91.

2. The use of blends of flavouring substances identical to natural substances, which smell and/or taste of almonds, apricots or eggs is hereby authorized respectively as a supplement to almonds, apricots or eggs, in aromatized wines, on condition that:

- such blends comply with the provisions of Directive 88/388/EEC and with the measures implementing that Directive,
- the product description refers to one or other of the abovementioned foods,
- the undertakings in question keep a separate register on the use of these flavouring substances identical to natural substances.

The register shall contain detailed information on the flavouring identical to natural flavourings which is used, i.e. the nature and quantity of the flavouring identical to natural flavourings present in the undertaking, its place of storage and information as to its supplementary use in the drink compared to the main flavouring. Each operation or handling shall be indicated in the register. The registers must be reconciled once a year and verified by the competent authorities in the Member State.

Article 2

The addition of alcohol is hereby authorized for the following products:

- a sweetened, aromatized wine-based drink, obtained from white wine, to which dried grape distillate has been added and which has been flavoured exclusively by cardamom extract,
- aromatized wine-based drinks obtained from red wine which have been sweetened and to which flavouring preparations, as defined in Article 1 (2) (c) of Directive 88/388/EEC have been added. These preparations shall be obtained exclusively from spices, ginseng, nuts, citrus fruit essences and aromatic herbs.

Article 3

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

It shall apply with effect from 17 December 1993.

⁽¹⁾ OJ No L 149, 14. 6. 1991, p. 1.

⁽²⁾ OJ No L 327, 13. 11. 1992, p. 1.

⁽³⁾ OJ No L 348, 17. 12. 1991, p. 53.

⁽⁴⁾ OJ No L 163, 6. 7. 1993, p. 20.

⁽⁵⁾ OJ No L 184, 15. 7. 1988, p. 61.

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 123/94

of 25 January 1994

opening a standing invitation to tender for the export of 600 000 tonnes of common wheat of bread-making quality held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾ lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas on 13 January 1994 France notified the Commission that it wished to put up for sale for export 600 000 tonnes of common wheat of bread-making quality held by its intervention agency; whereas it is possible to accede to that request;

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 French intervention agency may, on the conditions laid down in Regulation (EEC) No 2131/93, open a standing invitation to tender for the export of 600 000 tonnes of common wheat of bread-making quality held by it.

Article 2

1. The invitation to tender shall cover a maximum of 600 000 tonnes of common wheat of bread-making quality to be exported to Morocco, Algeria and Egypt.

2. The regions in which the 600 000 tonnes of common wheat of bread-making quality are stored are stated in Annex I to this Regulation.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 2131/93, until the end of the third month following.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁴⁾.

Article 4

1. Notwithstanding Article 7 (1) of Regulation (EEC) No 2131/93 the time limit for submission of tenders under the first partial invitation to tender shall expire on 3 February 1994 at 9 a.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Thursday at 9 a.m. (Brussels time).

3. The last partial invitation to tender shall expire on 24 March 1994.

4. The tenders shall be lodged with the French intervention agency.

Article 5

The French intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be made as specified in the table in Annex II to this Regulation, to the telex or telefax numbers in Annex III.

Article 6

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

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Amiens	140 000
Orléans	380 000
Paris	23 000
Poitiers	57 000

ANNEX II

Standing invitation to tender for the export of 600 000 tonnes of common wheat of bread-making quality held by the French intervention agency (Morocco, Algeria and Egypt)

(Regulation (EC) No 123/94)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX III

The only numbers to use to call Brussels are (DG VI-C-1 (Attention : Messrs Thibault and Brus)):

- telex : 22037 AGREC B
22070 AGREC B (Greek characters)
- telefax : — 295 01 32
— 296 10 97
— 295 25 15.

COMMISSION REGULATION (EC) No 124/94

of 25 January 1994

extending Regulations (EEC) No 1652/92, (EEC) No 3779/91 and (EEC) No 3685/92 as regards export refunds for baled tobacco from the 1990, 1991 and 1992 harvests

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽¹⁾, as last amended by Regulation (EEC) No 860/92⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain varieties of tobacco from the 1988, 1989 and 1990 harvests by Commission Regulation (EEC) No 1652/92⁽³⁾, as last amended by Regulation (EEC) No 1615/93⁽⁴⁾;

Whereas export refunds were also fixed in respect of certain varieties of tobacco from the 1991 harvest by Commission Regulation (EEC) No 3779/91⁽⁵⁾, as last amended by Regulation (EEC) No 1616/93⁽⁶⁾;

Whereas, finally, export refunds were fixed in respect of certain varieties of tobacco from the 1992 harvest by Commission Regulation (EEC) No 3685/92⁽⁷⁾;

Whereas the competitive situation on the world market for Virginia justifies the introduction of export refunds for Greek Virginia for the 1992 harvest; whereas it is therefore necessary to amend the two Annexes to Regulation (EEC) No 3685/92;

Whereas, with the exception of the 1988 harvest, the final date for granting all those refunds was set at 31 December 1993; whereas, in respect of the 1990, 1991 and 1992 harvests, export opportunities after that date have materialized for certain varieties of tobacco; whereas it is accordingly appropriate to grant refunds in respect of the varie-

ties in question in order to enable those exports to be carried out;

Whereas the export refunds are to apply to exports carried out from 1 January 1994;

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

HAS ADOPTED THIS REGULATION:

Article 1

The period of validity of Regulations (EEC) No 1652/92, (EEC) No 3779/91 and (EEC) No 3685/92 is hereby extended until 30 June 1994 in respect of the 1990, 1991 and 1992 harvests.

Article 2

Regulation (EEC) No 3685/92 is hereby amended as follows:

1. in Annex I the following is inserted after serial number '25':

'26	Virginia EL	2401 10 10 2602	0,15	02'
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2. in Annex II the following is inserted after serial number '25':

'26	Virginia EL	2401 20 10 2602	0,21	02'.
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Article 3

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

It shall apply to exports carried out from 1 January 1994.

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 91, 7. 4. 1992, p. 1.

⁽³⁾ OJ No L 172, 27. 6. 1992, p. 42.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 16.

⁽⁵⁾ OJ No L 356, 24. 12. 1991, p. 54.

⁽⁶⁾ OJ No L 155, 26. 6. 1993, p. 17.

⁽⁷⁾ OJ No L 374, 22. 12. 1992, p. 6.

COMMISSION REGULATION (EC) No 125/94**of 25 January 1994****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2703/93 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 24

January 1994, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2703/93 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 26 January 1994.

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 25 January 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	76,96 ⁽²⁾ ⁽³⁾
0712 90 19	76,96 ⁽²⁾ ⁽³⁾
1001 10 00	0 ⁽¹⁾ ⁽²⁾
1001 90 91	89,10
1001 90 99	89,10 ⁽²⁾
1002 00 00	114,00 ⁽⁶⁾
1003 00 10	117,74
1003 00 90	117,74 ⁽²⁾
1004 00 00	92,22
1005 10 90	76,96 ⁽²⁾ ⁽³⁾
1005 90 00	76,96 ⁽²⁾ ⁽³⁾
1007 00 90	92,78 ⁽⁴⁾
1008 10 00	25,53 ⁽²⁾
1008 20 00	40,05 ⁽⁴⁾
1008 30 00	0 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	162,39 ⁽²⁾
1102 10 00	197,72
1103 11 10	25,47
1103 11 90	185,70
1107 10 11	169,48
1107 10 19	129,38
1107 10 91	220,46 ⁽¹⁰⁾
1107 10 99	167,47 ⁽²⁾
1107 20 00	193,38 ⁽¹⁰⁾

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

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

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

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

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

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

⁽⁹⁾ Products falling within this code, imported from Poland, 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.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

COMMISSION REGULATION (EC) No 126/94**of 25 January 1994****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 12 (4) thereof,

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

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 24

January 1994, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 January 1994.

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 25 January 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	1	2	3	4
0709 90 60	0	0	1,37	1,37
0712 90 19	0	0	1,37	1,37
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 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	1,37	1,37
1005 90 00	0	0	1,37	1,37
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 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	1	2	3	4	5
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 (EC) No 127/94
of 25 January 1994
fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2419/93⁽⁴⁾, as last amended by Regulation (EC) No 111/94⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2419/93 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 53,698 per 100 kilograms.

Article 2

This Regulation shall enter into force on 26 January 1994.

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 222, 1. 9. 1993, p. 35.

⁽⁵⁾ OJ No L 19, 22. 1. 1994, p. 20.

COMMISSION REGULATION (EC) No 128/94

of 25 January 1994

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

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular the fourth subparagraph of Article 13 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 64/94 ⁽³⁾, as amended by Regulation (EC) No 84/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 64/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾, are used to

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 64/94 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 26 January 1994.

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

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 10, 14. 1. 1994, p. 10.

⁽⁴⁾ OJ No L 16, 19. 1. 1994, p. 8.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 25 January 1994 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	45,00
1001 10 00 400	—	—	1101 00 00 130	01	42,00
1001 90 91 000	—	—	1101 00 00 150	01	37,00
1001 90 99 000	03	37,00	1101 00 00 170	01	33,00
	02	15,00	1101 00 00 180	01	29,00
1002 00 00 000	03	25,00	1101 00 00 190	—	—
	02	15,00	1101 00 00 900	—	—
1003 00 10 000	—	—	1102 10 00 500	01	45,00
1003 00 90 000	03	58,00	1102 10 00 700	—	—
	02	15,00	1102 10 00 900	—	—
1004 00 00 200	—	—	1103 11 10 200	01	— ⁽³⁾
1004 00 00 400	—	—	1103 11 10 400	—	—
1005 10 90 000	—	—	1103 11 10 900	—	—
1005 90 00 000	03	30,00	1103 11 90 200	01	— ⁽³⁾
	04	15,00	1103 11 90 800	—	—
	02	0			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 04 Zones I, II a), b) and c), III a) and b), V, VI and VIII and Cuba.

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 January 1994

approving the annual programme of measures submitted by the Greek Government in 1993 concerning the restructuring of the system for agricultural surveys in Greece

(Only the Greek text is authentic)

(94/32/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 85/360/EEC of 16 July 1985 concerning the restructuring of the system of agricultural surveys in Greece⁽¹⁾, as last amended by Decision 92/582/EEC⁽²⁾, and in particular Article 4 thereof,

Whereas, according to Article 4 (1) of the aforementioned Decision, the Greek Government presented the annual programme of measures which comprises:

- the report on the experience gained during the implementation of the programme of the previous year (1992),
- the programme of measures planned for the following year (1994);

Whereas the programme submitted is such as to attain the objectives of organizing in Greece a system of surveys on agricultural matters which will satisfy Community requirements in respect of statistical information in this field;

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

HAS ADOPTED THIS DECISION:

Article 1

The annual programme of measures submitted in 1993 by the Greek Government is approved.

Article 2

This Decision is addressed to the Greek Republic.

Done at Brussels, 7 January 1994.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

⁽¹⁾ OJ No L 191, 23. 7. 1985, p. 53.

⁽²⁾ OJ No L 394, 31. 12. 1992, p. 28.

COMMISSION DECISION

of 24 January 1994

on the eligibility of expenditure to be incurred in 1994 by Denmark, Germany, Spain, France, Italy, the Netherlands, Portugal and the United Kingdom for the purpose of ensuring compliance with the community system for the conservation and management of fishery resources

(Only the Spanish, Danish, German, English, French, Italian, Dutch and Portuguese texts are authentic)

(94/33/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 89/631/EEC of 27 November 1989 on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources ⁽¹⁾, as amended by Decision 92/393/EEC ⁽²⁾, and in particular Article 2 (2) thereof,

Whereas, in accordance with Decision 89/631/EEC, the Commission has received applications for Community financial contributions from Denmark, Germany, Spain, France, Italy, the Netherlands, Portugal and the United Kingdom towards expenditure to be incurred during 1994;

Whereas the applications refer to expenditure for the acquisition or modernization of vessels, aircraft and land vehicles including their equipment, systems for the detection and recording of fishing activities and systems for recording and transmitting catch data and other relevant information;

Whereas such expenditure will help to develop monitoring and supervision facilities for the proper implementation of the Community's fishery resources conservation arrangements;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

Article 1

The expenditure foreseen for 1994 shown in the Annex, corresponding to an amount of ECU 32 216 299 is eligible for a financial contribution pursuant to Decision 89/631/EEC. The Community contribution shall be 50 % of the eligible expenditure.

Article 2

This Decision is addressed to the Kingdom of Denmark, the Federal Republic of Germany, the Kingdom of Spain, the Republic of Italy, the Kingdom of the Netherlands, the Portuguese Republic and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 24 January 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 364, 14. 12. 1989, p. 64.

⁽²⁾ OJ No L 213, 29. 7. 1992, p. 35.

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Gastos en moneda nacional Udgifter national valuta Ausgaben nationale Währung Σύνολο σε εθνικό νόμισμα Expenditure national currency Dépenses monnaie nationale Spese moneta nazionale Uitgaven nationale valuta Despesas moeda nacional	Gastos Udgifter Ausgaben Δαπάνη Expenditure Dépenses Spese Uitgaven Despesas (ECU)	Contribución de la Comunidad Fællesskabets finansielle bidrag Gemeinschaftsbeitrag Κοινοτική συμμετοχή Community contribution Contribution communautaire Contributo della Comunità Bijdrage van de Gemeenschap Contribuição da Comunidade (50 % — ECU)
Danmark	20 882 000 Dkr	2 697 741	1 348 871
Deutschland	3 075 800 DM	1 613 289	806 644
España	828 180 227 Pta	5 370 575	2 685 287
France	48 394 000 FF	7 256 506	3 628 253
Italia	1 000 000 000 Lit	536 282	268 141
Nederland	3 710 000 Fl	1 732 552	866 276
Portugal	2 239 100 000 Esc	11 406 753	5 703 377
United Kingdom	1 254 242 £	1 602 601	801 300
Total / I alt / Σύνολο / Totale / Totaal		32 216 299	16 108 149

COMMISSION DECISION
of 24 January 1994
on the implementation of the Animo computerized network

(94/34/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 20 (3) thereof,

Whereas the Commission has adopted several decisions concerning the Animo computerized network, in particular Decision 91/398/EEC of 19 July 1991 on a computerized network linking veterinary authorities (Animo)⁽³⁾, Decision 92/486/EEC of 25 September 1992 establishing the form of cooperation between the Animo host centre and Member States⁽⁴⁾ and Decision 93/227/EEC of 5 April 1993 on the provisional setting-up of the Animo computerized network in Italy⁽⁵⁾;

Whereas the Animo computerized network is now operable in a large part of the Community;

Whereas the aim is to make the network operable throughout the Community; whereas it is accordingly necessary to set time limits for the implementation of the system as a whole;

Whereas it is necessary, however, to lay down rules applicable in the event that a Member State is not in a position to participate fully in the network;

Whereas this Decision is without prejudice to earlier provisions concerning the Animo network, in particular those contained in Decisions 92/486/EEC and 93/227/EEC;

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

Member States shall ensure that their central units are connected to the Animo network (sending and receipt of all messages provided for under the Animo system) by 1 February 1994 at the latest.

Article 2

Member States shall ensure that all local units and border inspection posts are connected to the Animo network by 1 June 1994 at the latest.

Article 3

If a Member State is unable, in accordance with Article 1, to use the Animo computerized network as from 1 February 1994, the central authority of that Member State shall send by fax to the central authority of the country of destination all messages which the Animo system is intended to handle.

Article 4

If a local unit in a Member State is unable to use the Animo computerized network as from 1 June 1994, the central authority of that Member State shall ensure that all messages which that unit is intended to handle under the Animo system are taken over by the central unit.

Article 5

The provisions of this Decision shall apply without prejudice to earlier provisions concerning the Animo system, in particular those contained in Decisions 92/486/EEC and 93/227/EEC.

Article 6

The situation concerning the implementation of the Animo system will be re-examined in March 1994.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 24 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 221, 9. 8. 1991, p. 30.

⁽⁴⁾ OJ No L 291, 7. 10. 1992, p. 20.

⁽⁵⁾ OJ No L 97, 23. 4. 1993, p. 31.

COMMISSION DECISION

of 25 January 1994

amending Decision 93/602/EC concerning certain protection measures relating to African swine fever in Portugal

(94/35/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European 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⁽¹⁾, as last amended by Council Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) 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⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 (4) thereof,

Whereas as a result of outbreaks of African swine fever in the Alentejo region of Portugal, the Commission adopted Decision 93/602/EC of 19 November 1993 concerning certain protection measures relating to African swine fever in Portugal⁽⁴⁾;

Whereas the occurrence of African swine fever is liable to present a serious threat to the herds of other Member States in view of the trade in live pigs, fresh pigmeat and certain meat-based products;

Whereas information provided by Portugal on the African swine fever situation makes it possible to reduce the area for which certain protection measures were established by Decision 93/602/EC;

Whereas in the light of the new situation it is necessary to adjust the measures adopted by Decision 93/602/EC;

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

Article 1

Decision 93/602/EC is hereby amended as follows:

1. In Article 1, paragraphs 2 and 3 are deleted.
2. In Article 2, paragraph 3 is deleted.
3. In Article 4, paragraph 2, the first indent is replaced by:
 - the pigs have remained on the holding of origin for at least 21 days prior to consignment to the slaughterhouse and no other pigs have been introduced during the same period,
 - all pigs to be consigned have been subjected to an individual serological test for African swine fever with negative results within 10 days prior to consignment to the slaughterhouse, or the herd has been sampled in accordance with the provisions of Annex II within 14 days prior to consignment,
 - all the pigs to be consigned have been identified with an eartag or tattoo prior to sampling,
 - all animals in the holding of origin are subjected to a clinical examination by an authorized veterinarian within 24 hours prior to consignment.

4. Annex I is replaced by the following:

*ANNEX I***PROTECTION AREA**

The following municipalities:

- Moura
- Barrancos
- Serpa
- Mertola

5. In Article 3 (1), (2) and (3), the certificate must be completed with 'as amended by Decision 94/35/EC'.

Article 2

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

(¹) OJ No L 224, 18. 8. 1990, p. 29.

(²) OJ No L 62, 15. 3. 1993, p. 49.

(³) OJ No L 395, 30. 12. 1989, p. 13.

(⁴) OJ No L 285, 20. 11. 1993, p. 38.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1994.

For the Commission

René STEICHEN

Member of the Commission
