

# Official Journal

## of the European Communities

ISSN 0378-6978

L 136

Volume 37

31 May 1994

English edition

## Legislation

### Contents

#### I *Acts whose publication is obligatory*

- ★ **Commission Regulation (EC) No 1220/94 of 30 May 1994 amending Regulation (EEC) No 2137/93 fixing the export refunds in the wine sector ... 1**
- ★ **Commission Regulation (EC) No 1221/94 of 27 May 1994 re-establishing the levying of the customs duties applicable to products falling within CN code 2817 00 00 originating in China, to which the preferential tariff arrangements of Council Regulation (EEC) No 3831/90 apply ..... 3**
- ★ **Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ..... 5**
- ★ **Commission Regulation (EC) No 1223/94 of 30 May 1994 laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty ..... 33**
- Commission Regulation (EC) No 1224/94 of 30 May 1994 on the supply of cereals as food aid ..... 37
- ★ **Commission Regulation (EC) No 1225/94 of 30 May 1994 to be allocated to non-traditional importers from the Community quantitative quotas for certain products originating in the People's Republic of China ..... 40**
- Commission Regulation (EC) No 1226/94 of 30 May 1994 fixing the export refunds on fruit and vegetables ..... 43
- Commission Regulation (EC) No 1227/94 of 30 May 1994 fixing the import levies on milk and milk products ..... 46
- Commission Regulation (EC) No 1228/94 of 30 May 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal ..... 49

Price : ECU 18

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EC) No 1229/94 of 30 May 1994 fixing the premiums to be added to the import levies on cereals, flour and malt .....	51
Commission Regulation (EC) No 1230/94 of 30 May 1994 fixing the import levies on white sugar and raw sugar .....	53
Commission Regulation (EC) No 1231/94 of 30 May 1994 amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance .....	55
Commission Regulation (EC) No 1232/94 of 30 May 1994 amending Regulation (EEC) No 2164/92 laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance .....	60
Commission Regulation (EC) No 1233/94 of 30 May 1994 re-establishing the preferential customs duty on imports of multiflorous (spray) carnations originating in Israel .....	71
* Council Regulation (EC) No 1234/94 of 30 May 1994 fixing the basic price and the buying-in price for cauliflowers, peaches, nectarines, lemons, tomatoes and apricots for June 1994 .....	73

## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 1220/94**  
**of 30 May 1994**  
**amending Regulation (EEC) No 2137/93 fixing the export refunds in the wine**  
**sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European 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 Commission Regulation (EEC) No 2137/93 <sup>(3)</sup>, as amended by Regulation (EC) No 1205/94 <sup>(4)</sup>, fixing the exports refunds on wine for certain destinations, including east European countries, should be amended;

Whereas certain disturbances on the world market and the necessity to continue control measures necessitate a prolongation of the temporary suspension of export refunds on export to Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia, Republics of Serbia and Montenegro, Bulgaria, the Czech Republic, the Slovak Republic, Hungary and Romania;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 2137/93 is hereby replaced by the Annex hereto.

No application for refunds for the countries mentioned in the Annex, note (1), point (09) (b) can be presented before 10 June 1994.

*Article 2*

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 30 May 1994.

*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 191, 31. 7. 1993, p. 91.

<sup>(4)</sup> OJ No L 133, 28. 5. 1994, p. 15.

## ANNEX

CN code	Product code	For export to (1)	Refund
2204 21 25 2204 21 35 2204 29 25 2204 29 35	110	01 ; 09	ECU 4,40/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	01	ECU 1,44%/vol/hl (2)
		09	ECU 1,32%/vol/hl (2)
2204 21 25 2204 29 25	910	01 ; 09	ECU 4,40/hl
2204 21 49 2204 21 59 2204 29 49 2204 29 59	910	01 ; 09	ECU 13,80/hl

(1) The destinations are as follows :

01 All countries of the African continent with the exception of those explicitly excluded under 09 ;

09 All other destinations with the exception of the following third countries and territories :

(a) — 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),

— Algeria,  
— Australia,  
— Austria,  
— Cyprus,  
— Israel,  
— Morocco,  
— South Africa,  
— Switzerland,  
— Tunisia and  
— Turkey ;

(b) — and until 10 June 1994 :

— Bulgaria,  
— the Czech Republic,  
— the Slovak Republic,  
— Hungary,  
— Romania,  
— Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia, the Republics of Serbia and Montenegro.

(2) 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 (EC) No 607/94 (OJ No L 77, 19. 3. 1994, p. 5).

**COMMISSION REGULATION (EC) No 1221/94****of 27 May 1994**

**re-establishing the levying of the customs duties applicable to products falling within CN code 2817 00 00 originating in China, to which the preferential tariff arrangements of Council Regulation (EEC) No 3831/90 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 <sup>(1)</sup> applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries, extended for 1994 by Regulation (EC) No 3668/93 of 20 December 1993 <sup>(2)</sup>, and in particular Article 9 thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3831/90, customs duties on certain products originating in each of the countries of territories listed in Annex III are totally suspended from 1 January 1994 to 30 June 1994, and the products as such are, as a general rule, subject to statistical surveillance every three months on the reference base referred to in Article 8;

Whereas, as provided for in Article 8, where the increase of preferential imports of these products, originating in one or more beneficiary country, threatens to cause economic difficulties in a region of the Community, the levying of customs duties may be reintroduced, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered is equal, as a general rule, to 6,615 % of the total importations into the Community, originating from third countries in 1988;

Whereas, in the case of the product of the combined nomenclature code and origin indicated in the table below, the reference base is fixed at the levels indicated in that table:

CN code	Origin	Reference base (ECU)
2817 00 00	China	334 000

Whereas that reference base was reached on 28 February 1994 by charges of imports into the Community of the products in question originating in China; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties must be reintroduced for the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 3 June 1994, the levying of customs duties, suspended from 1 January 1994 to 30 June 1994 in pursuance of Council Regulation (EEC) No 3831/90 shall be reintroduced on imports into the Community of the products indicated in the table below:

CN code	Description	Origin
2817 00 00	Zinc oxide; zinc peroxide	China

<sup>(1)</sup> OJ No L 370, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 338, 31. 12. 1993, p. 22.

*Article 2*

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, 27 May 1994.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

---

## COMMISSION REGULATION (EC) No 1222/94

of 30 May 1994

laying down common detailed rules for the application of the system of 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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products<sup>(1)</sup>, and in particular the first subparagraph of Article 8 (3) thereof,

Whereas the regulations on the common organization of the markets in milk and milk products, eggs, rice, sugar and cereals provide that, to the extent required to allow the agricultural products in question to be exported in the form of certain processed goods not listed in Annex II to the Treaty on the basis of world market quotations or prices for such products, the difference between such quotations or prices and prices in the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80<sup>(2)</sup>, as last amended by Regulation (EC) No 776/94<sup>(3)</sup> laid 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; whereas the rules adopted under that Regulation may be maintained in their entirety until a more extensive revision is carried out;

Whereas, however, certain amendments to the rules should be made now;

Whereas the goods in question may be obtained directly from basic products or from products derived from the processing thereof, or from products assimilated to one of those two categories; whereas in all these cases rules should be laid down for determining the amount of the export refund;

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 application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively<sup>(4)</sup>, or pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry<sup>(5)</sup>, as last amended by Commission Regulation (EEC) No 464/91<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 2805/93<sup>(10)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when the refunds are adjusted;

Whereas exporters should be able to know sufficiently far in advance the amount of the refund to which they may be entitled; whereas to that end, subject to the provision of Article 17 of Council Regulation (EEC) No 804/68<sup>(11)</sup>, as last amended by Regulation (EC) No 230/94<sup>(12)</sup>, and of the corresponding Articles in the other regulations on the common organizations of markets, that amount should be fixed for a period of one month;

Whereas Commission Regulation (EEC) No 1760/83 of 29 June 1983 on special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not

<sup>(1)</sup> OJ No L 318, 20. 12. 1993, p. 18.

<sup>(2)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(3)</sup> OJ No L 91, 8. 4. 1994, p. 6.

<sup>(4)</sup> OJ No L 159, 1. 7. 1993, p. 112.

<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 256, 14. 10. 1993, p. 7.

<sup>(11)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(12)</sup> OJ No L 30, 3. 2. 1994, p. 1.

covered by Annex II to the Treaty and derogating from Regulation (EEC) No 2730/79 with regard to payment of refunds on butter<sup>(1)</sup>, as last amended by Regulation (EEC) No 888/93<sup>(2)</sup>, already lays down special detailed rules for the system of advance-fixing certificates enabling enterprises to plan their exports;

Whereas the proportion of the above agricultural products in most exported goods is bound to vary; whereas the amount of the refund must therefore be determined on the basis of the quantities of those products actually used in the manufacture of the exported goods; whereas, however, for certain goods of a simple and relatively constant composition the amount of the refund should, for ease of administration, be determined on the basis of fixed quantities of agricultural products;

Whereas it is necessary to provide for a notification system based on the principle that the exporter should declare to the competent authorities, each time that exportation takes place, the quantities of products used in the manufacture of the goods exported; whereas it is for the competent authorities to take any measures they consider necessary to verify the accuracy of such declaration;

Whereas many goods, manufactured by an undertaking under clearly defined technical conditions and having constant characteristics and quality, follow a regular export pattern; whereas to ease export formalities a simplified inspection procedure should be adopted for such goods whereby the manufacturer communicates to the competent authority such information as the latter considers necessary concerning the conditions of manufacture of the goods;

Whereas it is not always possible for the exporters, particularly if he is not the manufacturer, to know the precise quantities of basic products used, for which he can claim a refund; whereas, therefore, the exporter is not always able to make a declaration of these quantities; whereas it is therefore necessary to provide an alternative method of calculation of the refund which the person concerned may ask to be applied, restricted to certain goods, based on the chemical analysis of these goods, and using a conversion table drawn up for this purpose; whereas, moreover, the authorities responsible for checking the exporter's declaration may not, in some cases, possess sufficient evidence to enable them to accept the declaration; whereas these situations are particularly likely to arise when the goods to be exported have been manufactured in a Member State other than the exporting State; whereas, therefore, the competent authorities of the exporting Member State should be able, if necessary, to obtain directly from the competent authorities of the other Member States all the information which is avail-

able to the latter authorities concerning the conditions of manufacture of the goods;

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>(3)</sup>, as last amended by Regulation (EC) No 3049/93<sup>(4)</sup> authorizes butter and cream to be made available at reduced prices to industries which manufacture certain goods; whereas this should be taken into account for goods eligible for a refund determined on the basis of an analysis;

Whereas Regulation (EEC) No 3665/87 lays down common detailed rules for exports of agricultural products for which refunds may be granted; whereas these rules are also applicable to agricultural products exported in the form of goods not covered by Annex II to the Treaty; whereas this Regulation establishes, among others, rules for how to apply for refunds;

Whereas there should be uniform application throughout the Community of the provisions relating to the granting of refunds for goods not covered by Annex II to the Treaty; whereas to this end each Member State should inform the other Member States through the Commission of the checks it carries out in its territory for the various types of goods exported;

Whereas to ensure correct application of the provisions in the regulations on the common organization of markets relating to the granting of export refunds, such refunds should not be granted on products from third countries used in the manufacture of goods which are exported, after having been in free circulation in the Community;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex II,

<sup>(1)</sup> OJ No L 172, 30. 6. 1983, p. 20.

<sup>(2)</sup> OJ No L 92, 16. 4. 1993, p. 44.

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

<sup>(4)</sup> OJ No L 273, 5. 11. 1993, p. 7.



HAS ADOPTED THIS REGULATION:

### Article 1

1. This Regulation lays down common detailed rules for the application of the system of granting refunds applicable to exports of the basic products listed in Annex A (hereinafter referred to as 'basic products'), of products derived from the processing thereof, or of products assimilated to one of those two categories in accordance with paragraph 2, when these various products are exported in the form of goods not covered by Annex II to the Treaty but listed, as the case may be:

- in the Annex to Regulation (EEC) No 804/68,
- in Annex I to Regulation (EEC) No 2771/75 of the Council <sup>(1)</sup>,
- in Annex B to Council Regulation (EEC) No 1418/76 <sup>(2)</sup>,
- in Annex I to Council Regulation (EEC) No 1785/81 <sup>(3)</sup>,
- in Annex B to Council Regulation (EEC) No 1766/92 <sup>(4)</sup>.

These goods, which are set out in Annexes B and C to this Regulation, are hereinafter referred to as 'the goods'.

2. For the purposes of this Regulation:

- (a) — potato starch falling within CN code 1108 13 directly produced from potatoes, excluding sub-products,
  - starch falling within CN codes 1108 14 and 1108 19 90, of roots and tubers falling within CN code 0714,
  - flour and meal falling within CN code 1106 20,

shall be assimilated to maize starch falling within CN code 1108 12;

- (b) whey falling within CN codes 0404 10 48 to 62 not concentrated, even frozen, shall be assimilated to powdered whey complying with the description of the pilot product for Group 1 set out in the Annex to Council Regulation (EEC) No 2915/79 <sup>(5)</sup>;

- (c) — milk and the milk products falling within CN codes 0403 10 22, 0403 90 51, 0404 90 11 and 0404 90 31, not concentrated nor containing added sugar or other sweetening matter, even frozen, of a milk fat content, by weight, not exceeding 0,1 %,

- milk and the milk products falling within CN codes 0403 10 02, 0403 90 11, 0404 90 11 and 0404 90 31 in powder, granules or other solid forms, not containing added sugar or other sweetening matter, of a milk fat content, by weight, of less than 1,5 %,

shall be assimilated to milk powder complying with the description of the pilot product for Group 2 set out in the Annex to Regulation (EEC) No 2915/79;

- (d) — milk, cream and the milk products falling within CN codes 0403 10 22, 0403 10 24, 0403 90 51, 0403 90 53, 0404 90 11, 0404 90 13, 0404 90 31 and 0404 90 33, not concentrated nor containing added sugar or other sweetening matter, even frozen of a milk fat content, by weight, exceeding 0,1 % but not exceeding 6 %,
  - milk, cream and the milk products falling within CN codes 0403 10 04, 0403 10 06, 0403 90 13, 0403 90 19, 0404 90 13, 0404 90 19, 0404 90 33 and 0404 90 39 in powder, granules or other solid forms, not containing added sugar or other sweetening matter, of a milk fat content, by weight, not less than 1,5 % but less than 40 %,

shall be assimilated to milk powder complying with the description of the pilot product for Group 3 set out in the Annex to Regulation (EEC) No 2915/79;

- (e) — milk, cream and the milk products falling within CN codes 0403 10 26, 0403 90 59, 0404 90 13, 0404 90 19, 0404 90 33 and 0404 90 39, not concentrated nor containing added sugar or other sweetening matter, of a milk fat content, by weight, exceeding 6 %,
  - milk, cream and the milk products falling within CN codes 0403 10 06, 0403 90 19, 0404 90 19 and 0404 90 39, in powder, granules or other solid forms, not containing added sugar or other sweetening matter, of a milk fat content, by weight, not less than 40 %,

- butter and other milk fats with a milk fat content, by weight, other than 82 % but not less than 62 %,

shall be assimilated to butter complying with the description of the pilot product for Group 6 set out in the Annex to Regulation (EEC) No 2915/79;

- (f) — milk, cream and the milk products falling within CN codes 0403 10 22 to 0403 10 26, 0403 90 51 to 0403 90 59 and 0404 90 11 to 0404 90 39 concentrated, other than in powder, granules or other solid forms, not containing added sugar or other sweetening matter,

- cheese,

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 49.

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

<sup>(3)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(4)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(5)</sup> OJ No L 329, 24. 12. 1979, p. 1.

shall be assimilated to :

- (i) milk powder complying with the description of the pilot product for Group 2 set out in the Annex to Regulation (EEC) No 2915/79, for the non-fat part of the dry matter content of the relevant product ; and
  - (ii) butter complying with the description of the pilot product for Group 6 set out in the Annex to Regulation (EEC) No 2915/79 for the milk fat part of the relevant product ;
- (g) with regard to the beet or cane syrups referred to in Annex A, account shall be taken of :
- (i) the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure ;
  - (ii) the extractable sugar content of the syrup in question, where the latter is not less than 85 % but less than 98 % pure.

The purity and the extractable sugar content of the syrups in question shall be calculated in accordance with the first and second subparagraphs of Article 1 (5) of Commission Regulation (EEC) No 1443/82<sup>(1)</sup>.

#### Article 2

The amount of the refund granted for the quantity, determined in accordance with Article 3, of each of the basic products exported in the form of the same type of goods, shall be obtained by multiplying this quantity by the rate of the refund on the basic products calculated per unit of weight in accordance with Article 4.

However, in the case of D-glucitol (sorbitol) mixtures falling within CN codes 2905 44 and 3823 60, where the party concerned does not draw up the declaration referred to in Article 7 (1) giving the information required by the fourth indent of the third paragraph of that Article or where he does not provide satisfactory documentation in support of his declaration, the rate of refund on these mixtures shall be that for the basic product to which the lowest rate of refund is applicable.

When, in accordance with Article 4 (3), different refund rates may be fixed for a particular basic product, a separate amount shall be calculated for each of the quantities of the basic product for which there is a different refund rate.

When goods are used in the manufacture of the goods exported, the refund rate to be taken in calculating the amount applying to each of the basic products, to products derived from the processing thereof, or to products assimilated to one of those two categories in accordance with Article 1 (2) which were used in the manufacture of the goods exported, shall be the rate applicable when the former goods are exported unprocessed.

#### Article 3

1. In respect of the goods listed in Annex B, the quantity of each of the basic products to be taken in calculating the amount of the refund shall, except where reference is made to Annex C or where the second subparagraph of Article 7 (2) applies, be determined as follows :

- (a) in the case of use, unprocessed, of a basic product or of an assimilated product, the quantity shall be that which is actually used in the manufacture of the exported goods, account being taken of the following conversion rates :
  - 6,06 kg of the pilot product of Group 1 shall correspond to 100 kg of whey assimilated to that pilot product in accordance with Article 1 (2) (b),
  - 9,1 kg of the pilot product of Group 2 shall correspond to 100 kg of milk products assimilated to that pilot product in accordance with Article 1 (2) (c),
  - 1,01 kg of the pilot product of Group 2 shall correspond to the non-fat part of 100 kg of milk products assimilated to that pilot product in accordance with Article 1 (2) (f) per 1 % weight of non-fat dry matter contained in the milk product in question,
  - 0,8 kg of the pilot product of Group 2 in accordance with Article 1 (2) (f) per 1 % by weight of non-fat dry matter contained in cheese shall correspond to the non-fat part of 100 kg of the cheese,
  - 3,85 kg of the pilot product of Group 3 per 1 % by weight of milkfat contained in one of the milk products assimilated to that pilot product in accordance with Article 1 (2) (d) shall correspond to 100 kg of the milk product in question,
  - 1,22 kg of the pilot product of Group 6 per 1 % by weight of milkfat contained in one of the milk products assimilated to that pilot product in accordance with Article 1 (2) (e) shall correspond to the fat part of 100 kg of the milk product in question,

<sup>(1)</sup> OJ No L 158, 9. 6. 1982, p. 17.

- 1,22 kg of the pilot product of Group 6 per 1 % by weight of milkfat contained in one of the milk products assimilated to that pilot product in accordance with Article 1 (2) shall correspond to 100 kg of the milk product in question,
- 0,80 kg of the pilot product of Group 6 in accordance with Article 1 (2) (f) per 1 % by weight of milkfat contained in cheese shall correspond to the fat part of 100 kg of the cheese;

(b) in the case of use of a product covered by Annex II to the Treaty :

- either derived from the processing of a basic product or of a product assimilated to that basic product,
- or assimilated to a product derived from the processing of a basic product,
- or derived from the processing of a product assimilated to a product derived from the processing of a basic product,

the quantity shall be that which is actually used in the manufacture of the exported goods, reduced to a quantity of basic product by applying, as the case may be, the special rules for calculation, equivalence ratios or coefficients fixed for determining the levies on imports of the products in question.

However, for grain spirit contained in spirituous beverages falling within CN code 2208, this quantity shall be : 3,4 kg of barley per % vol of alcohol derived from cereals per hectolitre of the spirituous beverage exported ;

(c) in the case of use :

- either of a product not covered by Annex II to the Treaty derived from the processing of a product referred to in (a) or (b),
- or of a product derived from the mixture and/or the processing of several products referred to in (a) and/or (b), and/or products referred to in the first indent,

the quantity, to be determined on the basis of the quantity of the product actually used in the manufacture of the goods exported, shall be equal, for each of the basic products in question and subject to the provisions of paragraph 3, to the quantity established by the competent authorities in accordance with Article 7 (1). For the purpose of calculating this quantity the conversion rates referred to in (a) or, as the case may be, the special rules for calculation, equivalence ratios and coefficients referred to in (b) shall be applicable.

However, for the cereal-based spirituous beverages contained in the spirituous beverages falling within

CN code 2208, this quantity shall be 3,4 kg of barley per % vol of alcohol derived from cereals per hectolitre of the spirituous beverage exported.

2. For the purposes of paragraph 1, the products used unprocessed in the manufacture of exported goods shall be considered as actually used. Where, during one of the stages of manufacture of such goods, a basic product is itself processed into another more elaborate basic product used at a later stage, only the latter basic product shall be considered as actually used.

The quantities of products actually used, within the meaning of the first subparagraph, shall be determined for each type of goods exported.

However, in the case of regular exports relating to goods manufactured by a particular undertaking under clearly defined technical conditions and having constant characteristics and quality, the quantities may, by agreement with the competent authorities, be determined either from the manufacturing formula for the goods in question or from the average quantities of product used over a specified period in the manufacture of a given quantity of these goods. The quantities of products thus determined shall remain the basis of calculation so long as there is no change in the conditions under which the goods in question are manufactured.

In determining the quantities actually used, account shall be taken of the provisions of Commission Regulation (EEC) No 3615/92<sup>(1)</sup>.

3. In respect of the goods listed in Annex C, the quantity of basic products to be taken in calculating the amount of the refund shall be that shown in that Annex against each of those goods.

However,

- (a) in the case of fresh pasta, the quantities of basic products given in Annex C have to be reduced to an equivalent quantity of dry pasta by multiplying those quantities by the percentage of the dry extract of the pasta and dividing them by 88 ;
- (b) where the goods in question have been manufactured partly from products covered by inward processing arrangements and partly from products satisfying the conditions laid down in Article 9 (2) of the Treaty, the quantity of basic products to be taken for calculating the refund to be granted in respect of the latter class of products shall be determined in accordance with paragraphs 1 and 2.

<sup>(1)</sup> OJ No L 367, 16. 12. 1992, p. 10.

*Article 4*

1. The rate of refund shall be fixed for each month per 100 kg of basic products in accordance with Article 13 (2) of Regulation (EEC) No 1766/92 and the corresponding Articles of the other regulations referred to in Article 1 (1).

It may be modified in accordance with Article 13 (2) of Regulation (EEC) No 1766/92 and the corresponding Articles of the other regulations referred to in Article 1 (1).

However, the rate of the refund on poultry eggs in shell, fresh or preserved, and eggs not in shell and egg yolks, suitable for human consumption, fresh, dried or otherwise preserved, not sweetened, shall be fixed for the period taken for fixing the refunds on those products exported unprocessed.

2. The rate of the refund shall be determined with particular reference to:

- (a) the average cost incurred by the processing industries in obtaining supplies of basic products on the Community markets and the prices ruling on the world market;
- (b) the level of the refund 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 between the industries which use Community products and those which use third country products under inward processing arrangements.

3. In fixing the rate of the refund account shall be taken, where appropriate, 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 of the product in question, to basic products or to assimilated products.

4. Except in the case of cereals, no refund shall be granted for products used in the manufacture of alcohol contained in the spirituous beverages referred to in Annex B, falling within CN code 2208.

5. (a) For the products listed in Annex I, to Regulation (EEC) No 1722/93, as regards the rate of the refund on products of the cereal and rice sector, and for the goods listed in the Annex to Regulation (EEC) No 1010/86, as regards the rate of the refund on products of the sugar sector, the rates fixed in accordance with paragraph 1 shall be applied on presentation, at the time of 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 the said Regulations, and that such refund has not been and will not be applied for.

The proof referred to in the first subparagraph shall be provided by the production by the exporter of a declaration from the processor of the basic products in question attesting that the latter product has not benefited from the production refund provided for in Regulation (EEC) No 1722/93 or in Regulation (EEC) No 1010/86, and that no application for such refund has been or will be made.

The declaration referred to in the second subparagraph shall be verified in accordance with provisions of Article 7 (1).

(b) When the proof referred to in point (a) is not provided, the export refund rate:

(i) 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; or

(ii) of which the rate is fixed in advance;

shall be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1722/93 or to 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 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

6. (a) 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 declaration referred to in the first subparagraph can be considered valid, until revocation, for all supplies from the same producer; it shall be verified in accordance with provisions of Article 7 (1).

- (b) Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) is 80 % or higher, the rate of the export refund shall be that laid down in accordance with paragraph 1 ; where the dry-extract is less than 80 % the rate of the refund shall be that laid down in accordance with paragraph 1 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 that laid down in accordance with paragraph 1 ; where the dry-extract content is less than 87 % the rate of the refund shall be that laid down in accordance with paragraph 1 multiplied by 1/87th of the actual dry-extract percentage.

If the dry extract content of glucose or maltodextrin syrups falling within CN codes 1702 30 59, 1702 30 99, 1702 40 90, 1702 90 50 or 2106 90 55 is 78 % or more, the refund rate shall be that laid down in accordance with paragraph 1 ; if the dry-extract content of such syrups is lower than 78 %, the rate to be applied shall be that laid down in accordance with paragraph 1, multiplied by 1/78th of the actual dry-extract percentage.

- (c) For the purpose of (b), the dry extract content of starches shall be determined using the method referred to in Annex II to Commission Regulation (EEC) No 1908/84<sup>(1)</sup>; the dry-matter content of glucose or maltodextrin syrups shall be determined using method 2 referred to in Annex II to Council Directive 79/796/EEC<sup>(2)</sup> or any other suitable method of analysis offering at least the same guarantees.
- (d) At the time the declaration referred to in Article 7 (1) is made, the applicant must declare the dry-extract content of the starches or glucose or maltodextrin syrups used.

7. Where the world trade situation in casein falling within CN code 3501 10, in caseinates falling within CN code 3501 90 90 or in ovalbumin falling within CN code 3502 10 or the specific requirements of certain markets so require, the refund may be varied according to destination.

8. The rate of refunds for goods falling within CN codes 1902 11, 1902 19 and 1902 40 10 may be differentiated according to their destination.

#### Article 5

1. The rate of the refund shall be that applying on the day on which the goods are exported.

2. However, a system of fixing the rate of the refund in advance shall be applicable for basic products other than those falling within CN codes 0407 00 30 and ex 0408 with the exception of basic products falling within CN code 0407 00 30 exported in the form of ovalbumin falling within CN code 3502 10.

In cases where the system of advance fixing of the rate of the export refund is applied, the benefit of which shall be dependent on the request of the person concerned being deposited before 1 p.m. Brussels time at the same time as the application for the certificate is made, the rate in force on the day of the lodging of the request for the certificate provided for in Article 6 shall be applied to exports to be effected during the period of validity of the certificate.

The rate of the refund determined in the manner described in the second subparagraph shall be adjusted according to the rules applying to the advance fixing of the refunds on basic products exported unprocessed.

A corrective factor applicable to the rate of refund fixed in advance for a basic product exported in the form of goods not listed in Annex II to the Treaty may be fixed or changed in accordance with the conditions defined in the second subparagraph of Article 13 (4) of Regulation (EEC) No 1766/92 or in the second subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76.

Where, during the period of validity of a certificate as referred to in Article 6, measures are taken with a view either to making a basic product available at a reduced price to the manufacturers of certain goods, or to altering or abolishing existing provisions, the rate of the refund fixed in advance shall be adjusted on the basis of the lowest price for the relevant basic product between the day on which the application for the certificate is lodged and the day of exportation. However, where the applicant supplies proof that he purchased this basic product at a price calling for a higher refund, the rate of the refund fixed in advance shall be adjusted on the basis of the latter price, unless that price corresponds to the price on the basis of which the rate of the refund fixed in advance was calculated, in which case the latter rate shall be applicable.

3. When examination of the market situation shows that there are difficulties due to the application of the provisions concerning advance fixing, or that such difficulties may occur, a decision may be taken, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 or in accordance with the procedure laid down in the corresponding Articles of the other regulations referred to in Article 1 of this Regulation, to suspend the application of those provisions for the period strictly necessary.

In cases of extreme urgency, the Commission may, after examination of the situation, decide on the basis of all the information available to it to suspend advance fixing for a maximum of three working days.

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

<sup>(2)</sup> OJ No L 329, 22. 9. 1979, p. 24.

Applications for certificates accompanied by applications for advance fixing lodged during the period of suspension shall be inadmissible.

### Article 6

The granting of a refund under the advance fixing system provided for in Article 5 (2) shall be conditional upon production of an advance fixing certificate drawn up in accordance with Commission Regulation (EC) No 1223/94<sup>(1)</sup>, valid throughout the Community and issued by the Member States to any applicant, regardless of his place of establishment in the Community.

### Article 7

1. The provisions of Regulation (EEC) No 3665/87 shall apply. Moreover, when goods are to be exported, the party concerned must declare the quantities of basic products, of products derived from the processing thereof, or of products assimilated to one of those categories in accordance with Article 1 (2), which have actually been used, within the meaning of Article 3 (2), in the manufacture of those goods, for which a refund will be requested, or otherwise refer to that composition if it has been determined in accordance with the third subparagraph of Article 3 (2).

When goods have been used in the manufacture of goods to be exported, the declaration by the party concerned must include the quantity of the goods actually used and the nature and quantity of each of the basic products, of products derived from the processing thereof or of products assimilated to one of those two categories in accordance with Article 1 (2), from which the goods in question are derived.

The party concerned shall, in support of his declaration, supply the competent authorities with all documents and information which the latter consider relevant.

The competent authorities shall verify the accuracy of the declaration made to them by any appropriate means.

At the request of the competent authorities of the Member State on whose territory the customs export formalities are carried out, the competent authorities of the other Member States shall communicate to them directly all information they are able to obtain to enable the declaration made by the party concerned to be verified.

2. Where the party concerned does not draw up the declaration referred to in paragraph 1 or does not provide

satisfactory information in support of his declaration, he shall not be entitled to a refund.

However, if the party concerned provides satisfactory proof to the competent authorities that he does not possess or that he is unable to provide the information required regarding the conditions of manufacture of the goods to be exported, and if the goods are listed in column 2 of Annex D, that party shall, at his express request, be granted a refund, the nature and quantity of the basic products taken into consideration for the calculation of such refund being determined from an analysis of the goods to be exported and in accordance with the conversion table in Annex D. The competent authority shall decide on the conditions under which the analysis is to be carried out.

The cost of such analysis shall be borne by the party concerned.

If the exported goods are 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 dairy products, unless the exporter provides proof that the goods do not contain reduced price dairy products.

3. Paragraphs 1 and 2 shall not apply to products exported in the form of goods listed in Annex C, except in respect of:

- quantities of products as referred to in the first subparagraph of paragraph 1 exported in the form of goods obtained partly from products covered by inward processing arrangements under the conditions defined of Article 3 (3),
- quantities of eggs or egg products exported in the form of macaroni, spaghetti and similar products falling within CN code 1902 11,
- the dry-matter content of fresh pasta referred to in Article 3 (3),
- the nature of the basic products actually used in the manufacture of D-glucitol (sorbitol) falling within CN codes 2905 44, and 3823 60, and, where necessary, the proportions of D-glucitol (sorbitol) obtained from amylaceous products and sucrose,
- quantities of white sugar used in the manufacture of penicillins falling within CN code 2941 10,
- quantities of casein exported in the form of goods falling within CN code 3501 90 90.

4. When goods are analysed in pursuance of this Article, the methods of analysis shall be those referred to in Commission Regulation (EEC) No 4056/87<sup>(2)</sup> or, in their absence, those applicable for the Common Customs Tariff classification of similar goods which are imported into the Community.

<sup>(1)</sup> See page 33 of this Official Journal.

<sup>(2)</sup> OJ No L 379, 31. 12. 1987, p. 29.

5. The quantities of goods exported and the quantities of the products referred to in the first subparagraph of paragraph 1 or a reference to the composition determined in accordance with the third subparagraph of Article 3 (2) shall be entered on the document certifying exportation. However, where the second subparagraph of paragraph 2 of this Article applies, there shall be entered instead of the latter quantities, the quantities of basic products shown in column 4 of Annex D corresponding to the results of the analysis of the goods exported.

6. For the purpose of applying paragraph 1, each Member State shall inform the Commission of the controls which it applies in its territory for the various kinds of goods exported. The Commission shall inform the other Member States thereof.

#### *Article 8*

The refund referred to in Article 1 (1) shall not be granted for goods put into free circulation in accordance with Article 10 (1) of the Treaty and re-exported.

The refund shall also not be granted for these goods when they are exported after processing or incorporated in other goods.

#### *Article 9*

All references to Regulation (EEC) No 3035/80 repealed by Regulation (EC) No 776/94 shall be construed as references to this Regulation.

#### *Article 10*

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 30 May 1994.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

## ANNEX A

CN code	Description of basic products
ex 0402 10 19	Milk powder, not containing added sugar or other sweetening matter, obtained by the spray process, with a fat content not exceeding 1,5 % by weight and with a water content of less than 5 % by weight (PG 2)
ex 0402 21 19	Milk powder, not containing added sugar or other sweetening matter, 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)
ex 0404 10	Powdered whey, not containing added sugar or other sweetening matter, obtained by the spray process, with a water content less than 5 % by weight (PG 1)
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6)
ex 0407 00 30	Poultry eggs in shell, fresh or preserved, other than eggs for hatching
ex 0408	Eggs not in shell, and egg yolks, suitable for human consumption, fresh, dried or otherwise preserved, not sweetened
1001 10	Durum wheat
1001 90 99	Common wheat
1002	Rye
1003 00 90	Barley
1004	Oats
1005 90	Maize, other than maize for sowing
1006 20	Husked rice
ex 1006 30	Wholly milled rice
1006 40	Broken rice
1007 00 90	Grain sorghum, other than hybrid for sowing
1101	Wheat or meslin flour
1102 10	Rye flour
1103 11 10	Groats and meal of durum wheat
1103 11 90	Groats and meal of common wheat
1701 11 90	(Beet or cane) raw sugar
1701 12 90	
1701 99 10	White sugar
ex 1702 10 90	Lactose, containing, in the dry state, 98,5 % by weight of the pure product (PG 12)
ex 1702 40 10	Isoglucose containing in the dry state, 41 % or more by weight of fructose
ex 1702 90 90	Beet or cane syrups containing, in the dry state 85 % or more by weight of sucrose (including invert sugar expressed as sucrose)
1703	Molasses resulting from the extraction or refining of sugar



## ANNEX B

CN code	Description	Agricultural products for which an Export refund can be granted				
		C: see Annex C				
		Cereals	Rice	Eggs	Sugar molasses isoglucose	Milk, milk products
1	2	3	4	5	6	7
0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa :					
0403 10	— Yoghurt :					
0403 10 51 to 0403 10 99	— — Flavoured or containing added fruit or cocoa	x	x	x	x	x
0403 90	— Other :					
0403 90 71 to 0403 90 99	— — Flavoured or containing added fruit or cocoa	x	x	x	x	x
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen :					
0710 40	— Sweet corn :					
	— — In ear form	x			x	
	— — In grain form	C			x	
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solution), but unsuitable in that state for immediate consumption :					
0711 90 30	— Sweet corn :					
	— — In ear form	x			x	
	— — In grain form	C			x	
1302	Vegetable saps and extracts ; pectic substances, pectinates and pectates ; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products :					
1302 31 to 1302 39	— Mucilages and thickeners, whether or not modified, derived from vegetable products	x			x	
1517	Margarine, edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading No 1516 :					
1517 10	— Margarine, excluding liquid margarine :					
1517 10 10	— — Containing more than 10 % but not more than 15 % by weight of milk fats					x
1517 90	— Other :					
1517 90 10	— — Containing more than 10 % but not more than 15 % by weight of milk fats					x
1518 00 10	Linoxyn	x				
1520	Glycerol (glycerine) whether or not pure ; glycerol waters and glycerol lyes :					
1520 90 00	— Other, including synthetic glycerol	x			x	
1702 50 00	Chemically pure fructose				x	
1702 90 10	Chemically pure maltose	x			x	

1	2	3	4	5	6	7
1704	Sugar confectionery (including white chocolate), not containing cocoa :					
1704 10	– Chewing gum, whether or not sugar-coated	x			x	
1704 90 30	– White chocolate	x			x	x
1704 90 51 to 1704 90 99	– Other products	x	x		x	x
1806	Chocolate and other food preparation containing cocoa					
1806 10	– Cocoa powder, containing added sugar or other sweetening matter :					
	– – Not otherwise sweetened than by addition of sucrose	x		x	x	
	– – Other	x		x	x	x
1806 20	– Other preparations in block slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings of a content exceeding 2 kg					
	– – Chocolate milk crumb	x		x	x	x
	– – Other preparations of heading No 1806 20	x	x	x	x	x
	– Other, in blocks, slabs or bars :					
1806 31	– – Filled	x	x	x	x	x
1806 32	– – Not filled	x	x	x	x	x
1806 90	– Other :					
	– – ex 1806 90 (11, 19, 31, 39, 50)	x	x	x	x	x
	– – ex 1806 90 (60, 70, 90)	x	x	x	x	x
1901	Malt extract ; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included ; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included :					
1901 10	– Preparations for infant use, put up for retail sale :	x	x	x	x	x
1901 20	– Mixes and doughs for the preparation of bakers' wares of heading No 1905	x	x	x	x	x
1901 90	– Other :					
1901 90 11 to 1901 90 19	– – Malt extract	x	x			
1901 90 90	– – Other	x	x	x	x	x
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni ; couscous, whether or not prepared :					
	– Uncooked pasta, not stuffed or otherwise prepared :					
1902 11	– – Containing eggs :					
	– – – Obtained from durum wheat and other pasta made from cereals	C		x		
	– – – Other	x		x		
1902 19	– – Other :					
	– – – Obtained from durum wheat and other pasta made from cereals	C				
	– – – Other	x				x

1	2	3	4	5	6	7
1902 20	— Stuffed pasta whether or not cooked or otherwise prepared :					
1902 20 91	— — Cooked	x	x		x	x
1902 20 99	— — Other	x	x		x	x
1902 30	— Other pasta	x	x		x	x
1902 40	— couscous :					
1902 40 10	— — Unprepared :					
	— — — Obtained from durum wheat	C				
	— — — Other	x	x		x	x
1902 40 90	— — Other	x	x		x	x
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	x				
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example cornflakes) ; cereals other than maize (corn), in grain form, pre-cooked or otherwise prepared :					
1904 10	— Prepared foods obtained by the swelling or roasting of cereals or cereal products					
	— — Puffed rice, unsweetened	x	C	x	x	x
	— — Other, containing cocoa	x		x	x	x
	— — Other	x	x		x	
1904 90	— Other, in grain form :					
	— — Precooked rice	x	C		x	x
	— — Other, containing cocoa	x		x	x	x
	— — Other	x	x		x	
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa ; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products :					
1905 10	— Crispbread	x			x	x
1905 20	— Gingerbread and the like	x		x	x	x
1905 30	— Sweet biscuits ; waffles and wafers	x		x	x	x
1905 40	— Rusks, toasted bread and similar toasted products	x		x	x	x
1905 90	— Other :					
1905 90 10	— — Matzos	x				
1905 90 20	— — Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	x	x			
1905 90 30	— — Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5 % of sugars and not more than 5 % of fat	x				
1905 90 40 to 1905 90 90	— — Other products	x		x	x	x
2001	Vegetables, fruits, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid :					
2001 90 30	— Sweet corn ( <i>Zea mays var. saccharata</i> ) :					
	— — In ear form	x			x	
	— — In grain forms	C			x	
2001 90 40	— Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch	x			x	
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid ; frozen :					
2004 10	— Potatoes :					
2004 10 91	— — In the form of flour, meal or flakes, based on potatoes	x	x		x	x
2004 90 10	— Sweet corn ( <i>Zea mays var. saccharata</i> ) :					
	— — In ear form	x			x	
	— — In grain forms	C			x	

1	2	3	4	5	6	7
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen :					
2005 20	— Potatoes :					
2005 20 10	— — In the form of flour, meal or flakes, based on potatoes	x	x		x	x
2005 80	— Sweet corn ( <i>Zea mays var. saccharata</i> ):					
	— — In ear form	x			x	
	— — In grain forms	C			x	
2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included :					
2008 11 10	— Peanut butter	x	x		x	x
2008 91	— Palm hearts	x				
ex 2008 92 45	— Müsli type preparations on the basis of unroasted cereals	x	x		x	x
2008 99 85	— Maize other than sweet corn ( <i>Zea mays var. saccharata</i> ):					
	— — In ear form	x				
	— — In grain forms	C				
2008 99 91	— Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch	x				
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté ; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof :					
2101 10	— Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee :					
	— — Extracts, essences and concentrates of coffee and preparations with a basis of these extracts, essences or concentrates	x			x	
	— — Preparations with a basis of coffee	x	x		x	x
2101 20	— Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts, essences and concentrates or with a basis of tea or maté					
	— — Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts, essences and concentrates	x			x	
	— — Preparations with a basis of tea or maté :	x	x		x	x
2101 30	— Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof :					
	— — Roasted chicory and other roasted coffee substitutes :					
2101 30 11	— — — Roasted chicory				x	
2101 30 19	— — — Other	x			x	
	— Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes :					
2101 30 91	— — Of roasted chicory				x	
2101 30 99	— — Other	x			x	
2102	Yeasts (active or inactive); other similar single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders :					
2102 10	— Active yeasts :					
2102 10 31 to 2102 10 39	— — bakers' yeasts	x			x	

1	2	3	4	5	6	7
2102 20	— Inactive yeasts ; other single-cell micro-organisms, dead :					
2102 20 11 to 2102 20 19	— — Inactive yeasts	x			x	
ex 2103	Sauces and preparations therefor ; mixed condiments and mixed seasonings	x			x	
ex 2103 90 90	— Sauces and preparations therefor	x		x	x	
2104	Soups and broths and preparations therefor ; homogenized composite food preparations :					
2104 10	— Soups and broths and preparations therefor	x				
2105	Ice cream and other edible ice, whether or not containing cocoa	x	x	x	x	x
2106	Food preparations not elsewhere specified or included					
2106 10	— Protein concentrates and textured protein substances	x	x	x	x	x
2106 90	— Other :					
2106 90 10	— — Cheese fondues	x	x	x	x	x
2106 90 91 to 2106 90 99	— — Other	x	x	x	x	x
2202	Water, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009 :					
2202 10	— Waters including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	x			x	
2202 90	— Other :					
2202 90 10	— — Not containing products of heading No 0401 to 0404 or fat obtained from products of heading No 0401 to 0404	x			x	
2202 90 91 to 2202 90 99	— — Other	x			x	x
2203	Beer made from malt	C				
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances	x			x	
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol ; spirits, liqueurs, and other spirituous beverages, compound alcoholic preparations of a kind used for the manufacture of beverages :					
2208 20	Spirits obtained by distilling grape wine or grape marc				x	
2208 30	— Whiskies :					
	— — Other than bourbon whisky :					
ex 2208 30 31 to 2208 30 89	— — — Whiskies, other than those referred to in Regulation (EEC) No 2825/93 <sup>(1)</sup>	x				
2208 50 11 to 2208 50 19	— Gin	x				
2208 50 91 to 2208 50 99	— Geneva	x			x	
2208 90	— Other :					
2208 90 31 to	— — Vodka, spirits	x		x	x	
2208 90 79	— — Liquors and other spirituous beverages	x		x	x	x

<sup>(1)</sup> OJ No L 258, 16. 10. 1993, p. 6.

1	2	3	4	5	6	7
2520	Gypsum ; anhydrite ; plasters whether or not coloured, with or without small quantities of accelerators or retarders :					
2520 20	– Plasters	×			×	
2839	Silicates ; commercial alkali metal silicates :					
2839 90	– Other	×			×	
Chapter 29	Organic chemicals	×			×	
2905 43	Mannitol	C			C	
2905 44	D-glucitol (sorbitol)	C			C	
2941	Antibiotics :					
2941 10	– Penicillins and their derivatives with a penicillanic acid structure ; salts thereof :					
	– – Which requires more than 15,3 kg of white sugar for the manufacture of 1 kg	×			C	
	– – Other	×			×	
Chapter 30	Pharmaceutical products	×			×	
3203	Colouring matter of vegetable or animal origin and preparations based thereon				×	
3204 11 to 3204 19	Synthetic organic colouring matter and preparations based thereon				×	
3307	Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and cosmetic or toilet preparations, not elsewhere specified or included ; prepared room deodorizers, whether or not perfumed or having disinfectant properties :					
3307 49 and 3307 90	– Other	×			×	
ex 3401	Soap ; organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether or not containing soap ; paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent :					
3401 19	– Other	×			×	
3402	Organic surface-active agents (other than soap) ; surface-active preparations, washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading No 3401	×			×	
3403	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals :					
	– Containing petroleum oils or oils obtained from bituminous minerals :					
3403 11	– – Preparations for the treatment of textile materials, leather, furskins or other materials	×				
3403 19	– – Other :					
3403 19 10	– – – Containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent	×			×	
3405	Polishes and cream, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powder and similar preparations (whether or not in the form of paper, wadding, felt, non-wovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading No 3404	×			×	

1	2	3	4	5	6	7
3407	Modelling pastes, including those put up for children's amusement; preparations known as 'dental wax' or as 'dental impression compounds', put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms; other preparations for use in dentistry, with a basis of plaster (of calcined gypsum or calcium sulphate)	x			x	
ex Chapter 35	Albuminoid substances; modified starches; glues; enzymes:					
	— Except heading No 3501	x				
	— Except heading Nos 3501 and 3505	x			x	
3501	Casein, caseinates and other casein derivatives; casein glues:					
3501 10	— Casein					C
3501 90	— Other:					
3501 90 10	— — Casein glues					x
3501 90 90	— — Other					C
3502 10 91 to 3502 10 99	— Egg albumin, other than unfit, or rendered unfit, for human consumption	x		C	x	
3502 90 51 to 3502 90 59	— Milk albumine (lactalbumin), other than unfit, or rendered unfit for human consumption:	x			x	C
3505	Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches with the exception of starches of heading No 3505 10 50	x	x			
3505 10 50	Esterified and etherified starches	x				
Chapter 38	Miscellaneous chemical products (except heading No 3809)	x			x	
ex 3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:					
3809 10	— With a basis of amylaceous substances	x	x			
3823 60	Sorbitol other than that of heading No 2905 44	C			C	
Chapter 39	Plastics and articles thereof:					
3901 to 3914	— Primary forms	x			x	
3915 to 3926	— Waste, parings and scrap; semi-manufactures; articles	x				
ex 4813	Cigarette paper, whether or not cut to size or in the form of booklets or tubes:					
4813 90	— Other					
4813 90 90	— Other	x				
4818 10	— Toilet paper	x				
4823 11 and 4823 19	Gummed or adhesive paper, in strips or rolls	x				
4823 20	Filter paper and paperboard	x				
4823 51 to 4823 59	Other paper and paperboard, of a kind used for writing, printing or other graphic purposes	x				
4823 90 51 to 4823 90 79	Other	x				
ex 6809	Articles of plaster or of compositions based on plaster:					
6809 11 to 6809 19	— Boards, sheets, panels, tiles and similar articles, not ornamented				x	





1	2	3	4	5	6	7	8	9	10	11	12
	Containing less than 80 % of durum wheat (by weight), and having an ash content (by weight) referred to dry matter <sup>(2)</sup> :										
	-- Of not more than 0,75 %	80	80 <sup>(3)</sup>								(4)
	-- Of more than 0,75 % but not more than 0,83 %	75	75 <sup>(3)</sup>								(4)
	-- Of more than 0,83 % but not more than 0,93 %	70	70 <sup>(3)</sup>								(4)
	-- Of more than 0,93 %	0	0								
	-- Other (i.e. other than made of cereals) see Annex B										
	Other (i.e. other than containing eggs) :										
	-- Obtained from durum wheat, not containing or containing not more than 3 % (by weight) of other cereals and having an ash content (by weight) referred to dry matter <sup>(2)</sup> :										
	-- Of not more than 0,95 %		160								
	-- Of more than 0,95 % but not more than 1,10 %		150								
	-- Of more than 1,10 % but not more than 1,30 %		140								
	-- Of more than 1,30 %		0								
	-- Other made of cereals :										
	-- Containing 80 % or more of durum wheat (by weight) and having an ash content (by weight) referred to the dry matter <sup>(2)</sup> :										
	-- Of not more than 0,87 %	32	128								
	-- Of more than 0,87 % but not more than 0,99 %	30	120								
	-- Of more than 0,99 % but not more than 1,15 %	28	112								
	-- Of more than 1,15 %	0	0								
	-- Containing less than 80 % of durum wheat (by weight) and having an ash content (by weight) referred to the dry matter <sup>(2)</sup> :										
	-- Of not more than 0,75 %	80	80								
	-- Of more than 0,75 % but not more than 0,83 %	75	75								
	-- Of more than 0,83 % but not more than 0,93 %	70	70								
	-- Of more than 0,93 %	0	0								
	-- Other (i.e. other than made of cereals) see Annex B										
1902 19											

(\*)

(\*)

(\*)

1	2	3	4	5	6	7	8	9	10	11	12
1902 20	— Stuffed pasta whether or not cooked or otherwise prepared : — — Other :										
1902 20 91	— — — Cooked see Annex B										
1902 20 99	— — — Other see Annex B										
1902 30	— Other pasta, cooked or otherwise prepared, unstuffed : see Annex B										
1902 40	— Couscous :										
1902 40 10	— — Unprepared :										
	— — — Obtained from durum wheat not containing or containing not more than 3 % (by weight) of other cereals and having an ash content (by weight) referred to dry matter <sup>(1)</sup> :										
	— — — Of not more than 0,95 %		160								
	— — — Of more than 0,95 % but not more than 1,10 %		150								
	— — — Of more than 1,10 % but not more than 1,30 %		140								
	— — — Of more than 1,30 %		0								
	— — — Other (i.e. other than obtained from durum wheat) : see Annex B										
1902 40 90	— — Other (i.e. prepared) : see Annex B										
1904	Prepared foods obtained by swelling or roasting of cereals or cereal products (for example cornflakes) ; cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared :										
1904 10	— Prepared foods obtained by swelling or roasting of cereals or cereal products :										
ex 1904 10 30	— — Obtained from rice :										
	— — — Puffed rice, unsweetened					165					
1904 90	— Other :										
ex 1904 90 10	— — Rice :										
	— — — Precooked rice <sup>(2)</sup>				174						
2001	Vegetables, fruits, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid :										
ex 2001 90 30	— Sweet corn ( <i>Zea mays var. saccharata</i> ) :										
	— — In grain form			100 <sup>(1)</sup>							

1	2	3	4	5	6	7	8	9	10	11	12
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen :										
ex 2004 90 10	— Sweet corn ( <i>Zea mays var. saccharata</i> ):										
	— — In grain form			100 (%)							
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen :										
2005 80 00	— Sweet corn ( <i>Zea mays var. saccharata</i> ):										
	— — In grain form			100 (%)							
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included :										
ex 2008 99 85	— Maize (corn), other than sweet corn ( <i>Zea mays var. saccharata</i> ):										
	— — In grain form			100 (%)							
2203 00	Beer made from malt :										
	— Made from barley malt or wheat malt, without the addition of unmalted cereals, rice (or products derived from their processing) or sugar (sucrose or invert sugar)						23 (%) (%) 22 (%) (%) (1)				
	— Other										
2905	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives :										
	Other polyhydric alcohols :										
2905 43 00	— Mannitol :							102			
	— — Obtained from sucrose										
	— — Obtained from amylaceous products			242							
2905 44	— D-glucitol (sorbitol) :										
	— — In aqueous solution :										
2905 44 11	— — — Containing 2 % or less by weight of D-mannitol calculated on the D-Glucitol content			(7) (%)				(7) (%)			
2905 44 19	— — — Other			(7) (%)				(7) (%)			
	— — Other :										
2905 44 91	— — — Containing 2 % or less by weight of D-mannitol calculated on the D-Glucitol content			(7)				(7)			
2905 44 99	— — — Other			(7)				(7)			

1	2	3	4	5	6	7	8	9	10	11	12
2941	Antibiotics:										
ex 2941 10 00	— Penicillins and their derivatives with a penicillanic acid structure; salts thereof:										
	— — Penicillins, the manufacture of which requires per kg a quantity of white sugar exceeding 15,3 kg							1530			
	— — Other: see Annex B										
3501	Casein, caseinates and other casein derivatives; casein glues:										
3501 10	— Casein									291	
3501 90 90	— — Other									( <sup>9</sup> )	
3502	Albumins, albuminates and other albumin derivatives:										
	— Egg albumin:										
3502 10 91	— — Dried (for example, in sheets, scales, flakes, powder)										406
3502 10 99	— — Other										55
3502 90	— Other:										
	— — Milk albumin (lactalbumin):										
3502 90 51	— — — Dried (for example, in sheets, scales, flakes, powder)								900		
3502 90 59	— — — Other								127		
3823	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:										
	— Sorbitol other than that covered by CN code 2905 44:										
3823 60	— — In aqueous solution:										
3823 60 11	— — — Containing 2 % or less by weight of D-mannitol calculated on the D-glucitol content			( <sup>8</sup> )				( <sup>8</sup> )			
3823 60 19	— — — Other			( <sup>8</sup> )				( <sup>8</sup> )			
	— Other:										
3823 60 91	— — — Containing 2 % or less by weight of D-mannitol calculated on the D-glucitol content			( <sup>7</sup> )				( <sup>7</sup> )			
3823 60 99	— — — other			( <sup>7</sup> )				( <sup>7</sup> )			

*Notes*

- (<sup>1</sup>) This quantity relates to maize grain of a moisture content of 65 % by weight.
- (<sup>2</sup>) This content is to be determined by subtracting from the total ash content of the product the proportion of ash derived from the eggs incorporated, on the basis of 0,04 % by weight of ash per 50 g of eggs in shell (or their equivalent in egg products).
- (<sup>3</sup>) This quantity is reduced by 1,6 kg/100 kg per 50 g of eggs in shell (or their equivalent in other egg products) per kg of pasta.
- (<sup>4</sup>) 5 kg/100 kg per 50 g of eggs in shell (or their equivalent in other egg products) per kg of pasta, all intermediate quantities being rounded down to the next multiple of 50 g.
- (<sup>5</sup>) Pre-cooked rice consists of milled rice grain which has been pre-cooked and partially dehydrated to facilitate final cooking.
- (<sup>6</sup>) This quantity shall be understood to be calculated for beer of a strength between 11° and 12° Plato both inclusive. For beer of a strength below 11° Plato, this quantity shall be reduced by 9 % per degree Plato, the actual strength having first rounded down to the next degree. For beer of a strength exceeding 12° Plato, this quantity shall be increased by 9 % per degree Plato, the actual strength having first been rounded up to the next degree.
- (<sup>7</sup>) The refund shall be determined in relation to the quantities used of D-glucitol (sorbitol) obtained from any amylaceous products and of D-glucitol (sorbitol) obtained from sucrose, and shall be calculated on the basis of the following quantities of maize and white sugar :
- 1,69 kg of maize for 1 kg of D-glucitol (sorbitol) in aqueous solution, obtained from amylaceous products,
  - 0,71 kg of white sugar for 1 kg of D-glucitol (sorbitol) in aqueous solution, obtained from sucrose,
  - 2,42 kg of maize for 1 kg of D-glucitol (sorbitol) other than in aqueous solution, obtained from amylaceous products,
  - 1,02 kg of white sugar for 1 kg of D-glucitol (sorbitol) other than in aqueous solution, obtained from sucrose.
- (<sup>8</sup>) The quantities given in footnote (<sup>7</sup>) shall be understood to be calculated for an aqueous solution of D-glucitol (sorbitol) with a dry matter content by weight of 70 %. For aqueous solutions of sorbitol with a different dry matter content, these quantities shall be increased or reduced, as the case may be, in proportion of the actual dry matter content, and rounded down to the next kg.
- (<sup>9</sup>) A fixed quantity, on the basis of the casein used, at the rate of 291 kg of skimmed milk powder (PG2) per 100 kg of casein.
- (<sup>10</sup>) For 1 hl of beer.
- (<sup>11</sup>) In addition, a refund may be granted on the quantities of unmalted barley actually used and accepted by the competent authorities of the Member State of manufacture.

## ANNEX D

CN code	Description	Results of analysis	Nature of the basic products to be taken as a basis for the calculation of the refund	Quantity of the basic products to be taken as a basis for the calculation of the refund (per 100 kg of goods)
1	2	3	4	5
1704	Sugar confectionery (including white chocolate), not containing cocoa :			
1704 10	— Chewing gum, whether or not sugar-coated	1. Sucrose (1) 2. Glucose (2)	1. White sugar 2. Maize	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2)
1704 90 30 to 1704 90 99	— Other	1. Sucrose (1) 2. Glucose (2) 3. (a) Milk fat content of less than 12 % by weight (b) Milk fat content of 12 % by weight or more	1. White sugar 2. Maize 3. (a) Whole-milk powder (PG3) (b) Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. (a) 3,85 kg per 1 % by weight of milk fats (b) 1,22 kg per 1 % by weight of milk fats
1806	Chocolate and other food preparations containing cocoa :			
1806 10	— Cocoa powder, containing added sugar or other sweetening matter	1. Sucrose (1) 2. Glucose (2)	1. White sugar 2. Maize	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2)
1806 20	— Other preparations in blocks or slabs weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings of a content exceeding 2 kg	1. Sucrose (1) 2. Glucose (2) 3. (a) Milk fat content of less than 12 % by weight (b) Milk fat content of 12 % by weight or more	1. White sugar 2. Maize 3. (a) Whole milk powder (PG3) (b) Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. (a) 3,85 kg per 1 % by weight of milk fats (b) 1,22 kg per 1 % by weight of milk fats
1806 31 and 1806 32	— Other, in blocks, slabs or bars	1. Sucrose (1) 2. Glucose (2) 3. Milk fats	1. White sugar 2. Maize 3. Whole-milk powder (PG3)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. 3,85 kg per 1 % by weight of milk fats

1	2	3	4	5
1806 90	— Other	1. Sucrose (1) 2. Glucose (2) 3. (a) Milk fat content of less than 12 % (b) Milk fat content of 12 % or more	1. White sugar 2. Maize 3. (a) Whole-milk powder (PG3) (b) Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. (a) 3,85 kg per 1 % by weight of milk fats (b) 1,22 kg per 1 % by weight of milk fats
ex 1901	Food preparations of flour, meal, starch or malt extract, not containing cocoa powder, or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of headings Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 % not elsewhere specified or included	1. Sucrose (1) 2. Glucose (2) 3. (a) Milk fat content of less than 12 % by weight (b) Milk fat content of 12 % by weight or more	1. White sugar 2. Maize 3. (a) Whole-milk powder (PG3) (b) Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. (a) 3,85 kg per 1 % by weight of milk fats (b) 1,22 kg per 1 % by weight of milk fats
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:			
ex 1902 11 and ex 1902 19	— Uncooked pasta, not stuffed or otherwise prepared, other than containing exclusively cereal and eggs	Starch (or dextrin) from common wheat	Common wheat	1,75 kg per 1 % by weight of anhydrous starch (or dextrin) from wheat
1902 20	— Stuffed pasta whether or not cooked or otherwise prepared:			
1902 20 91 to 1902 20 99	— — Other	Starch (or dextrin) from common wheat	Common wheat	1,75 kg per 1 % by weight of anhydrous starch (or dextrin) from common wheat
1902 30	— — Other pasta	Starch (or dextrin) from common wheat	Common wheat	1,75 kg per 1 % by weight of anhydrous starch (or dextrin) from wheat
1902 40 90	— — Couscous other than unprepared	Starch (or dextrin) from common wheat	Common wheat	1,75 kg per 1 % by weight of anhydrous starch (or dextrin) from wheat

1	2	3	4	5
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	Starch (or dextrin)	Maize	1,83 kg per 1 % by weight of anhydrous starch (or dextrin)
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:			
1905 10	— Crispbread	Starch (or dextrin)	Rye	2,09 kg per 1 % by weight of anhydrous starch (or dextrin)
1905 30	— Sweet biscuits; waffles and wafers	1. Sucrose (1) 2. Glucose (2) 3. Starch (or dextrin) 4. Milk fats	1. White sugar 2. Maize 3. Common wheat 4. Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. 1,75 kg per 1 % by weight of anhydrous starch (or dextrin) 4. 1,22 kg per 1 % by weight of milk fats
1905 40	— Rusks, toasted bread and similar toasted products	Starch (or dextrin)	Common wheat	1,75 kg per 1 % by weight of anhydrous starch (or dextrin)
1905 90	— Other:			
1905 90 20	— — Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Starch (or dextrin)	Maize	1,83 kg per 1 % by weight of anhydrous starch (or dextrin)
1905 90 30	— — Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter not more than 5 % of sugars and not more than 5 % of fat	Starch (or dextrin)	Common wheat	1,75 kg per 1 % by weight of anhydrous starch (or dextrin)
1905 90 40 to 1905 90 90		1. Sucrose (1) 2. Glucose (2) 3. Starch (or dextrin) 4. Milk fat	1. White sugar 2. Maize 3. Common wheat 4. Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. 1,75 kg per 1 % by weight of anhydrous starch (or dextrin) 4. 1,22 kg per 1 % by weight of milk fats



1	2	3	4	5
2105	Ice cream and other edible ice, whether or not containing cocoa	1. Sucrose (1) 2. Glucose (2) 3. Milk fats	1. White sugar 2. Maize 3. Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. 1,22 kg per 1 % by weight of milk fats
2106	Food preparations not elsewhere specified or included :			
2106 10	— Protein concentrates and textured protein substances :			
2106 10 90	— — Other	1. Sucrose (1) 2. Glucose (2) 3. Milk fat	1. White sugar 2. Maize 3. Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. 1,22 kg per 1 % by weight of milk fats
2106 90 99	— Other	1. Sucrose (1) 2. Glucose (2) 3. Milk fat	1. White sugar 2. Maize 3. Butter (PG6)	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2) 3. 1,22 kg per 1 % by weight of milk fats
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009 :			
2202 10	— Waters including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	1. Sucrose (1) 2. Glucose (2)	1. White sugar 2. Maize	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2)
2202 90	— Other :			
2202 90 10	— — Not containing products of heading No 0401 to 0404 or fat obtained from products of heading No 0401 to 0404	1. Sucrose (1) 2. Glucose (2)	1. White sugar 2. Maize	1. 1 kg per 1 % by weight of sucrose (1) 2. 2,1 kg per 1 % by weight of glucose (2)

1	2	3	4	5
2202 90 91 to 2202 90 99	- - Other	1. Sucrose (1) 2. Milk fat	1. White sugar 2. Whole-milk powder (PG3)	1. 1 kg per 1 % by weight of sucrose (1) 2. 3,85 kg per 1 % by weight of milk fats
3505	Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches: - Dextrins - Other - Starches, esterified and etherified	Starch (or dextrin)	Maize	1,83 kg per 1 % by weight of starch (or dextrin)
3505 10 10 and 3505 10 90 3505 10 50		Starch (or dextrin)	Maize (for starch making)	1,83 kg per 1 % by weight of starch (or dextrin)
3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants) of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included: - With a basis of amylaceous substances	Starch (or dextrin)	Maize	1,83 kg per 1 % by weight of starch (or dextrin)
3913	Natural polymers (for example, alginic acid) and modified natural polymers (for example, hardened proteins, chemical derivatives of natural rubber) not elsewhere specified or included in primary forms: - Other: - - Other	Starch (or dextrin)	Maize	1,83 kg per 1 % by weight of starch (or dextrin)
3913 90 3913 90 90				

(1) The content of the goods (as presented), in sucrose, together with the sucrose which results from expressing as sucrose any mixture of glucose and fructose (the sum of the amounts of these two sugars multiplied by 0,95), which is declared (in whatever form) or found to be present in the goods.

However, where the fructose content of the goods is less than the glucose content, the amount of glucose to be included in the above calculation shall be an amount equal, by weight, to that of fructose.

(2) Glucose, other than included in sucrose according to footnote (1).

Note: In all cases, where a hydrolysis product of lactose is declared, and/or galactose is found to be present among the sugars, then the amount of glucose equal to that of galactose is deducted from the total glucose content before any other calculations are carried out.

## COMMISSION REGULATION (EC) No 1223/94

of 30 May 1994

laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products<sup>(1)</sup>, and in particular the first subparagraph of Article 8 (3) and Article 20 thereof,

Whereas Regulation (EEC) No 876/68 of the Council of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds<sup>(2)</sup>, as last amended by Regulation (EC) No 776/94<sup>(3)</sup>, states that arrangements for the advance fixing of the refund may be adopted in the case of exports of milk products in the form of goods not covered by Annex II to the Treaty;

Whereas, likewise, Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(4)</sup>, as last amended by Regulation (EEC) No 2193/93<sup>(5)</sup> and Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs<sup>(6)</sup>, as last amended by Regulation (EEC) No 1574/93<sup>(7)</sup>, Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(8)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(9)</sup> and Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar<sup>(10)</sup>, as last amended by Regulation (EC) No 133/94<sup>(11)</sup>, also provide for such arrangements;

Whereas the Brussels Nomenclature has been replaced, in the acts of the Community, by the Combined Nomenclature; whereas Commission Regulation (EEC) No 2730/79 has been replaced by 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>(12)</sup>, as last amended by Regulation (EEC) No 2805/93<sup>(13)</sup>;

Whereas Commission Regulation (EEC) No 3183/80 has been replaced by Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products<sup>(14)</sup>, as last amended by Regulation (EC) No 3519/93<sup>(15)</sup>;

Whereas the international situation has changed considerably since the adoption of Commission Regulation (EEC) No 349/86 of 18 February 1986 suspending the application of certain provisions of Regulation (EEC) No 1760/83 as regards the payment of refunds in respect of butter exported in the form of certain products not covered by Annex II to the Treaty<sup>(16)</sup>; whereas, consequently, the provisions of Article 7 (4) to (7) of Commission Regulation (EEC) No 1760/83 of 29 June 1983 on special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and derogating from Regulation (EEC) No 2730/79 with regard to payment of refunds on butter<sup>(17)</sup>, as last amended by Regulation (EEC) No 888/93<sup>(18)</sup>, no longer have any purpose;

Whereas provision should be made for similar rules governing the management of advance-fixing certificates for certain agricultural products, whether exported in the natural state or after incorporation in certain goods not covered by Annex II to the Treaty; whereas, however, account should be taken of the special conditions governing the production and marketing of a number of the goods in question; whereas immediate steps should be taken to adjust certain periods of validity of certificates in order to take account of these objectives and to ensure that certificates for milk products are covered by the same

<sup>(1)</sup> OJ No L 318, 20. 12. 1993, p. 18.

<sup>(2)</sup> OJ No L 155, 3. 7. 1968, p. 1.

<sup>(3)</sup> OJ No L 91, 8. 4. 1994, p. 6.

<sup>(4)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(5)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(6)</sup> OJ No L 282, 1. 11. 1975, p. 49.

<sup>(7)</sup> OJ No L 152, 24. 6. 1993, p. 1.

<sup>(8)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(9)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(10)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(11)</sup> OJ No L 22, 27. 1. 1994, p. 7.

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

<sup>(13)</sup> OJ No L 256, 14. 10. 1993, p. 7.

<sup>(14)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(15)</sup> OJ No L 320, 22. 12. 1993, p. 16.

<sup>(16)</sup> OJ No L 42, 19. 2. 1986, p. 5.

<sup>(17)</sup> OJ No L 172, 30. 6. 1983, p. 20.

<sup>(18)</sup> OJ No L 92, 16. 4. 1993, p. 44.

provisions in the case of applications for certificates lodged on a Thursday, whether these products are exported in the natural state or in the form of certain goods not covered by Annex II to the Treaty;

Whereas the special detailed implementing rules laid down under Regulation (EEC) No 1760/83 should be amended; whereas, for reasons of clarity, it appears desirable to replace the aforesaid Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex II,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

This Regulation lays down, with respect to certain agricultural products exported in the form of goods not covered by Annex II, special detailed rules for the application of the system of advance-fixing certificates for refunds as referred to in Article 5 (3) of Regulation (EEC) No 876/68, the third subparagraph of Article 13 (4) of Regulation (EEC) No 1766/92 and the corresponding articles of the regulations establishing a common organization of the market in rice, sugar and eggs.

#### *Article 2*

Advance-fixing certificates, hereinafter referred to as 'certificates', shall be applied for and issued in respect of a single basic product. They shall contain a description of the goods in the form in which that basic product is to be exported. Two or more descriptions of goods may be shown on the same certificate where:

- their export attracts the same rate of export refund in respect of the basic product in question exported in the form of the goods indicated, and
- the same validity period, as specified in Article 4, applies to each description of goods.

#### *Article 3*

1. Applications for certificates shall be submitted under the conditions set out in Article 15 of Regulation (EEC) No 3719/88. However, with regard to applications relating to milk products (PG 2, PG 3 or PG 6) to be exported in the form of goods, which have been lodged on a Thursday, such applications shall be deemed to have been lodged on the working day following that Thursday.

2. The application for a certificate and the certificate shall contain:

- (a) in section 20, a description of the goods to be exported and details of the CN codes within which they fall, as shown in Annex B or C to Commission Regulation (EC) No 1222/94<sup>(1)</sup>. However, when the rate of refund on the basic product for which the certificate is issued varies according to the tariff classification or the description of the goods to be exported, the certificate shall show the exact description of these goods and shall specify the CN code within which they fall;
- (b) in section 14, the nature and, in sections 17 and 18, the quantity expressed in net mass of the basic product listed in Annex A to Regulation (EC) No 1222/94, for which the refund is to be fixed in advance, such nature and quantity being established in accordance with Articles 1 (2) and 3 (1), (2) and (3) of that Regulation; in sections 15 and 16 respectively, the descriptions according to the Combined Nomenclature and the CN code of the basic product for which the certificate is issued;
- (c) where Article 6 applies, in section 20, in addition to the information specified in (a), the quantity expressed in net mass of the goods concerned which corresponds to the target quantity of the basic product entered in section 17.

#### *Article 4*

1. A certificate shall be valid from its day of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88:

- for products covered by the common organizations of the markets in sugar, cereals, rice and eggs, until the end of the fifth month following that of issue, and
- for products covered by the common organization of the market in milk and milk products, until the end of the sixth month following that of issue, except for certificates issued for butter with a fat content of 82 % by weight (PG 6), which shall be valid until the end of the third month following that of issue.

However, where goods are exported on the basis of an invitation to tender as referred to in Article 44 of Regulation (EEC) No 3719/88 and opened in an importing non-member country, the certificate shall be valid until the date on which the obligations under the award must be met, although the period of validity of the certificate may not exceed eight months following that of issue. For milk products this maximum period of validity shall be increased to 18 months when the goods are exported on the basis of an invitation to tender as referred to in Article 6.

<sup>(1)</sup> See page 5 of this Official Journal.

## 2. Notwithstanding paragraph 1 :

- (a) with regard to barley exported in the form of beer, falling within CN code 2203, the certificate shall be valid until the end of the 11th month following that of issue ;
- (b) with regard to poultry eggs in shell, fresh or preserved, other than for hatching, used in calculating the export refund on ovalbumin falling within CN code 3502 10, the certificate shall be valid until the end of the third month following that of issue ;
- (c) with regard to durum wheat, the certificate shall be valid until the end of the sixth month following that of issue.

*Article 5*

In the case of export of goods covered by the common organization of the market in milk and milk products, pursuant to an invitation to tender as referred to in Article 44 of Regulation (EEC) No 3719/88, notwithstanding paragraph 5 of that Article, the applicant for the certificate must observe a maximum period of 60 days.

*Article 6*

1. Where the conditions of an invitation to tender issued by armed forces stationed in the territory of a Member State but not coming under its flag fix only approximately the quantity of goods to be supplied, since the quantity that will in fact be supplied can be determined only at the end of the delivery period provided for in the invitation to tender, the certificate relating to the basic product, exported in the form of such goods, shall be issued for the quantity corresponding to the quantity of such goods (to be known as 'the target quantity') as fixed approximately under the terms of the invitation to tender. In such cases one of the following endorsements shall be entered in section 20 of the application for the certificate and of the certificate itself :

- 'Cantidad indicativa',
- 'Anslået mængde',
- 'Richtmenge',
- 'Ενδεικτική ποσότητα',
- 'Target quantity',
- 'Quantité indicative',
- 'Quantità indicativa',
- 'Geschatte hoeveelheid',
- 'Quantidade indicativa'.

The certificate may be used only for an amount not exceeding that quantity.

The obligation to export shall be fulfilled when the quantity of the basic product to be known as 'the definitive quantity' corresponding to the quantity of goods fixed for supply by the agency inviting tenders has been exported. The parties concerned shall submit the relevant evidence to the agency which issued the certificate.

2. In cases where the quantity for export proves greater than the target quantity, the agency which issued the certificate shall at the request of the party concerned issue one or more supplementary certificates.

The supplementary certificate shall contain the same details as the original certificate, except with regard to the quantity and the date of issue. In addition, section 3 shall contain one of the following endorsements :

- 'Certificado complementario',
- 'Ekstra forudfastsættelsesattest',
- 'Zusatz-Vorausfestsetzungsbescheinigung',
- 'Συμπληρωματικό πιστοποιητικό',
- 'Additional advance fixing certificate',
- 'Certificat complémentaire',
- 'Certificato complementare',
- 'Aanvullend certificaat',
- 'Certificado complementar'.

3. When the definitive quantity is less than the target quantity as indicated in the original certificate and in any supplementary certificate or certificates, the security corresponding to the balance, as determined in accordance with Article 9, shall be released.

4. The provisions of the first subparagraph of Article 33 (2) of Regulation (EEC) No 3719/88 shall not apply to certificates issued in accordance with this Article.

5. Where application for a certificate is made for an export in pursuance of an invitation to tender referred to in paragraph 1, the provisions of Article 44 (5), (8) and (9) of Regulation (EEC) No 3719/88 shall not apply.

*Article 7*

1. The provisions of that Article shall apply to butter of a fat content by weight of 82 %, falling within CN code 0405 00 (PG 6), exported in the form of goods falling within CN codes 1806 90 and 2106 90 99.

2. Certificates which contain in section 20 a description of the goods falling within the CN codes referred to in paragraph 1 may not contain a description of goods falling within other CN codes.

3. Certificates shall be issued on the fifth working day following the day on which the application is lodged, unless special measures are taken in the intervening period.

4. The provisions of Article 6 of Commission Regulation (EEC) No 210/69<sup>(1)</sup> shall apply, on the understanding that the description of the goods and of the basic product in respect of which the certificate is drawn up complies with the provisions of Article 3 of this Regulation.

#### Article 8

Member States shall inform the Commission :

1. each working day, of the advance-fixing certificates issued the previous day for milk powder (PG 2 or PG 3) for exportation in the form of goods falling within CN codes 1901 90 90 or 2106 90 99 ;

every Wednesday at the latest, of any other advance-fixing certificates issued during the previous week for

milk powder for exportation in the form of goods covered by the Annex to Regulation (EEC) No 804/68 ;

2. by the 10th of each month at the latest, of the advance-fixing certificates issued during the previous month for the agricultural products referred to in Article 1 of Regulation (EEC) No 1766/92 valid for exportation in the form of goods listed in Annex B to that Regulation.

#### Article 9

The issue of certificates provided for in this Regulation shall be subject to the provision of a security, the amount of which is determined in the following table ; this security shall be released under the conditions set out in Regulation (EEC) No 3719/88 and, where appropriate, in Article 6 (3) of this Regulation.

Description of basic products	Amount in ECU per 100 kg net of basic product unless otherwise stated
Milk powder, obtained by the spray process, of a fat content by weight of less than 1,5 % and of a water content by weight of less than 5 % (PG 2)	2,50
Milk powder, obtained by the spray process, of a fat content by weight of 26 % and of a water content by weight of less than 5 % (PG 3)	2,50
Butter, of a fat content by weight of 82 % (PG 6)	5,00
Poultry eggs in shell, fresh or preserved, other than for hatching, exported in the form of ovalbumin	1,70
Products covered by Regulation (EEC) No 1766/92 (cereals) or Regulation (EEC) No 1418/76 (rice)	0,50
Products covered by Regulation (EEC) No 1785/81 (sugar)	3,50

#### Article 10

1. Regulation (EEC) No 1760/83 is repealed.

However, it shall remain applicable in the case of certificates issued before 1 June 1994.

2. All references to Regulation (EEC) No 1760/83 repealed in the first paragraph shall be construed as references to this Regulation.

#### Article 11

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 30 May 1994.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 28, 5. 2. 1969, p. 1.

**COMMISSION REGULATION (EC) No 1224/94**  
**of 30 May 1994**  
**on the supply of cereals as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management<sup>(1)</sup>, as last amended by Regulation (EEC) No 1930/90<sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management<sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain beneficiaries 5 556 tonnes of cereals;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(4)</sup>, as amended by Regulation (EEC) No 790/91<sup>(5)</sup>; whereas it

is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annexes, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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

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

Done at Brussels, 30 May 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 81, 28. 3. 1991, p. 108.

**ANNEX****LOTS A and B**

1. **Operation Nos** <sup>(1)</sup>: 1500/90 (lot A) and 1501/90 (lot B)
2. **Programme** : 1990
3. **Recipient** <sup>(2)</sup>: Euronaid PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 330 57 57; fax 364 17 01; telex 30960 NL EURON)
4. **Representative of the recipient** <sup>(3)</sup>: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination** : Haiti
6. **Product to be mobilized** : milled rice (product code 1006 30 92 900, 1006 30 94 900, 1006 30 96 900)
7. **Characteristics and quality of the goods** <sup>(4)</sup> <sup>(5)</sup>: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA.1 (f))
8. **Total quantity** : 2 315 tonnes (5 556 tonnes of cereals)
9. **Number of lots** : two (lot A : 283 tonnes and lot B : 2 032 tonnes)
10. **Packaging and marking** <sup>(7)</sup> <sup>(8)</sup> <sup>(9)</sup>: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA 2 (b) and IIA.3)  
Markings in French
11. **Method of mobilization** : the Community market
12. **Stage of supply** : free at port of shipment
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : —
16. **Address of the warehouse and, if appropriate, port of landing** : —
17. **Period for making the goods available at the port of shipment** : 11. — 31. 7. 1994
18. **Deadline for the supply** : —
19. **Procedure for determining the costs of supply: tendering**
20. **Date of expiry of the period allowed for submission of tenders** : 12 noon (Brussels time) on 14. 6. 1994
21. **In the case of a second invitation to tender** :
  - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 28. 6. 1994
  - (b) period for making the goods available at the port of shipment : 25. 7. — 14. 8. 1994
  - (c) deadline for the supply : —
22. **Amount of the tendering security** : ECU 5 per tonne
23. **Amount of the delivery security** : 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** <sup>(1)</sup>: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** <sup>(4)</sup>: refund applicable on 31. 5. 1994, fixed by Commission Regulation (EC) No 993/94 (OJ No L 111, 30. 4. 1994, p. 54)



*Notes:*

- (<sup>1</sup>) The operation number should be mentioned in all correspondence.
- (<sup>2</sup>) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (<sup>3</sup>) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (<sup>4</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.  
The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as amended by Regulation (EC) No 547/94 (OJ No L 69, 12. 3. 1994, p. 1), shall not apply to this amount.
- (<sup>5</sup>) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (<sup>6</sup>) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
  - phytosanitary certificate.
- (<sup>7</sup>) Bagging must be carried out before shipment.
- (<sup>8</sup>) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>9</sup>) Notwithstanding OJ No C 114, point IIA.3 (c) is replaced by the following : 'the words "European Community"'.

---

**COMMISSION REGULATION (EC) No 1225/94**  
**of 30 May 1994**

**to be allocated to non-traditional importers from the Community quantitative  
quotas for certain products originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas<sup>(1)</sup>, and in particular Article 2 (4) and (5) and Article 10 thereof,

Having regard to Commission Regulation (EC) No 747/94 of 30 March 1994 establishing administration procedures for quantitative quotas on certain products originating in the People's Republic of China<sup>(2)</sup>, and in particular the first indent of Article 1 and the second and third indents of Article 7 (2) thereof,

Whereas the Member States have, in accordance with Article 7 (2) of Regulation (EC) No 747/94, notified the Commission of the import licence applications received for that portion of the abovementioned quotas set aside for non-traditional importers, giving the date and exact time of receipt of each application;

Whereas examination of the applications has shown that those for some products can be met to the predetermined maximum quantity prescribed in Annex II to Regulation (EC) No 747/94; whereas, where quota portions have not been exhausted, the Community balance should be specified along with the date from which applicants may, subject to the conditions laid down in Article 12 (3) of Regulation (EC) No 520/94, submit a new licence application;

Whereas owing to the simultaneous receipt of applications substantially exceeding the quota portion to be allocated and to certain implementing problems encountered by the national authorities, however, it has proved impossible to apply the method laid down in Article 12 of Regulation (EC) No 520/94 for certain other products;

Whereas, in accordance with Article 2 (4) of Regulation (EC) No 520/94 and with a view to ensuring the optimal use of quotas, an alternative method should be devised whereby each quota portion is allocated in proportion to the number of applications notified to the Commission; whereas this method would however not allow the allocation of economically significant quantities of the products covered by CN code 8527 29; whereas that portion of the quota should therefore be redistributed later in accordance with Article 2 (5) of Regulation (EC) No 520/94;

Whereas the Committee set up under Regulation (EC) No 520/94 has expressed no opinion on the measures contained in this Regulation;

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The Commission confirms and notifies the Member States that the import licence applications concerning the products listed in Annex I to this Regulation can be met to the predetermined maximum quantities laid down in Annex II to Regulation (EC) No 747/94. Any available Community balance is shown for the products covered by the abovementioned Annex I.

2. Within the limits of the available Community balance, importers who have received a licence under paragraph 1 above and can prove that they have actually imported the total quantity of goods for which the licence was issued shall be authorized to submit another licence application to the competent national authorities as from 10 a.m. Brussels time on 15 July.

In accordance with Article 12 (3) of Regulation (EEC) No 520/94, this procedure shall apply to the importers in question until the quota is exhausted. The competent national authorities shall notify the Commission as from 15 July at 10 a.m. Brussels time of the applications received in chronological order of receipt.

The Commission shall examine and confirm applications in accordance with the second and third indents of Article 7 (2) of Regulation (EC) No 747/94.

*Article 2*

All import licence applications concerning products covered by Annex II to this Regulation shall be met to the quantities specified in that Annex.

*Article 3*

Where the implementation of the above Articles would lead to the allocation of a quantity or values in excess of that applied for, the quantity or value allocated shall be limited to that requested.

*Article 4*

The portion of the quota relating to products falling within CN code 8527 29 will be redistributed in accordance with Article 14 of Regulation (EC) No 520/94.

*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 66, 10. 3. 1994, p. 1.

<sup>(2)</sup> OJ No L 87, 31. 3. 1994, p. 83.

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

Done at Brussels, 30 May 1994.

*For the Commission*

Leon BRITTAN

*Member of the Commission*

#### ANNEX I

List of products for which applications can be met by applying the method based on the chronological order of receipt

Description products subject to quotas	HS/CN Code	Available balance
Footwear falling within HS/CN codes	ex 6402 19 (*) ex 6402 99 (*)	2 623 271 pairs
	ex 6404 11 (*)	609 633 pairs
	6404 19 10	2 864 860 pairs
Tableware, kitchenware of porcelain or china	6911 10	nil
Ceramic tableware, kitchenware, other than of porcelain or china	6912 00	nil
Toys falling within HS/CN codes	9503 90	nil

(\*) Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 12 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and which technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

## ANNEX II

## List of products for which applications can be met by applying the pro rata method

Description of products subject to quotas	HS/CN Code	Maximum quantity
Gloves	4203 29	ECU 23 716
Footwear falling within HS/CN codes	ex 6403 19 (*)	912 pairs
	6403 51 6403 59	927 pairs
	ex 6403 91 (*) ex 6403 99 (*)	2 035 pairs
Glassware of a kind used for table, kitchen, toilet, etc.	7013	2,584 tonnes
Radio-broadcast receivers falling within HS/CN code	8527 21	771 units
Toys falling within HS/CN codes	9503 41	ECU 20 485
	9503 49	ECU 10 889

(\*) Excluding footwear involving special technology : shoes which have a cif price per pair of not less than ECU 12 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

## COMMISSION REGULATION (EC) No 1226/94

of 30 May 1994

fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 3669/93 <sup>(2)</sup>, and in particular Article 30 <sup>(4)</sup> thereof,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts <sup>(3)</sup>, as amended by Regulation (EEC) No 2455/72 <sup>(4)</sup>, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges, apples, peaches and nectarines of the common quality standards 'Extra' Class, Class I and Class II, table grapes of

the common quality standards 'Extra' Class and Class I, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(6)</sup>, as amended by Regulation (EC) No 3528/93 <sup>(7)</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>(8)</sup>, as last amended by Regulation (EC) No 547/94 <sup>(9)</sup>;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade 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 Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

Export refunds in the fruit and vegetables sector shall be fixed at the amounts specified in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 June 1994.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 338, 31. 12. 1993, p. 26.

<sup>(3)</sup> OJ No L 318, 18. 12. 1969, p. 17.

<sup>(4)</sup> OJ No L 266, 25. 11. 1972, p. 7.

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

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

<sup>(7)</sup> OJ No L 320, 22. 12. 1993, p. 32.

<sup>(8)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(9)</sup> OJ No L 69, 12. 3. 1994, p. 1.

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

Done at Brussels, 30 May 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

---

## ANNEX

to the Commission Regulation of 30 May 1994 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)			(ECU/100 kg net)		
Product code	Destination of refund (1)	Amounts of refunds (2)	Product code	Destination of refund (1)	Amounts of refunds (2)
0702 00 10 100	04	4,50	0805 10 49 200	01	11,00
0702 00 90 100	04	4,50	0805 30 10 100	04	13,50
0802 12 90 000	04	9,67	0806 10 11 200	04	4,84
0802 21 00 000	04	11,30	0806 10 15 200	04	4,84
0802 22 00 000	04	21,80	0806 10 19 200	04	4,84
0802 31 00 000	04	14,00	0808 10 31 910	02	8,00
0805 10 11 200	01	11,00	0808 10 33 910	02	8,00
0805 10 15 200	01	11,00	0808 10 39 910	02	8,00
0805 10 19 200	01	11,00	0808 10 51 910	02	8,00
0805 10 21 200	01	11,00	0808 10 53 910	02	8,00
0805 10 25 200	01	11,00	0808 10 59 910	02	8,00
0805 10 29 200	01	11,00	0808 10 81 910	02	8,00
0805 10 31 200	01	11,00	0808 10 83 910	02	8,00
0805 10 35 200	01	11,00	0808 10 89 910	02	8,00
0805 10 39 200	01	11,00	0809 30 10 100	03	5,00
0805 10 41 200	01	11,00	0809 30 90 100	03	5,00
0805 10 45 200	01	11,00			

(1) The destinations are as follows:

- 01 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland, Malta, Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia,
- 02 Sweden, Norway, Iceland, Austria, the Faroe Islands, Finland, Greenland, Malta, Syria, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, the countries and territories of Africa other than South Africa, countries of the Arabian peninsula (Saudi Arabia, Bahrain, Qatar, Oman, the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm, al Qaiwain, Fujairah and Ras al Khaimah), Kuwait, Yemen), Iran, Jordan,
- 03 all destinations excluding Switzerland and Austria,
- 04 all destinations.

(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.

**COMMISSION REGULATION (EC) No 1227/94**  
**of 30 May 1994**  
**fixing the import levies on milk and milk products**

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EC) No 230/94 <sup>(2)</sup>, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EC) No 725/94 <sup>(3)</sup>, as last amended by Regulation (EC) No 1109/94 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 725/94 to the prices

known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 30 May 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

---

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

<sup>(2)</sup> OJ No L 30, 3. 2. 1994, p. 1.

<sup>(3)</sup> OJ No L 87, 31. 3. 1994, p. 17.

<sup>(4)</sup> OJ No L 121, 12. 5. 1994, p. 37.



## ANNEX

## to the Commission Regulation of 30 May 1994 fixing the import levies on milk and milk products

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

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		16,98	0403 10 16	(°)	2,0773/kg + 26,75
0401 10 90		15,77	0403 10 22		25,56
0401 20 11		23,15	0403 10 24		30,44
0401 20 19		21,94	0403 10 26		73,40
0401 20 91		28,03	0403 10 32	(°)	0,1952/kg + 25,54
0401 20 99		26,82	0403 10 34	(°)	0,2440/kg + 25,54
0401 30 11		70,99	0403 10 36	(°)	0,6736/kg + 25,54
0401 30 19		69,78	0403 90 11		119,86
0401 30 31		135,82	0403 90 13		176,40
0401 30 39		134,61	0403 90 19		214,98
0401 30 91		227,16	0403 90 31	(°)	1,1261/kg + 26,75
0401 30 99		225,95	0403 90 33	(°)	1,6915/kg + 26,75
0402 10 11	(°)	119,86	0403 90 39	(°)	2,0773/kg + 26,75
0402 10 19	(°)(°)	112,61	0403 90 51		25,56
0402 10 91	(°)(°)	1,1261/kg + 26,75	0403 90 53		30,44
0402 10 99	(°)(°)	1,1261/kg + 19,50	0403 90 59		73,40
0402 21 11	(°)	176,40	0403 90 61	(°)	0,1952/kg + 25,54
0402 21 17	(°)	169,15	0403 90 63	(°)	0,2440/kg + 25,54
0402 21 19	(°)(°)	169,15	0403 90 69	(°)	0,6736/kg + 25,54
0402 21 91	(°)(°)	214,98	0404 10 02		23,64
0402 21 99	(°)(°)	207,73	0404 10 04		176,40
0402 29 11	(°)(°)(°)	1,6915/kg + 26,75	0404 10 06		214,98
0402 29 15	(°)(°)	1,6915/kg + 26,75	0404 10 12		119,86
0402 29 19	(°)(°)	1,6915/kg + 19,50	0404 10 14		176,40
0402 29 91	(°)(°)	2,0773/kg + 26,75	0404 10 16		214,98
0402 29 99	(°)(°)	2,0773/kg + 19,50	0404 10 26	(°)	0,2364/kg + 19,50
0402 91 11	(°)	37,33	0404 10 28	(°)	1,6915/kg + 26,75
0402 91 19	(°)	37,33	0404 10 32	(°)	2,0773/kg + 26,75
0402 91 31	(°)	46,66	0404 10 34	(°)	1,1261/kg + 26,75
0402 91 39	(°)	46,66	0404 10 36	(°)	1,6915/kg + 26,75
0402 91 51	(°)	135,82	0404 10 38	(°)	2,0773/kg + 26,75
0402 91 59	(°)	134,61	0404 10 48	(°)	0,2364/kg
0402 91 91	(°)	227,16	0404 10 52	(°)	1,6915/kg + 6,04
0402 91 99	(°)	225,95	0404 10 54	(°)	2,0773/kg + 6,04
0402 99 11	(°)	51,02	0404 10 56	(°)	1,1261/kg + 6,04
0402 99 19	(°)	51,02	0404 10 58	(°)	1,6915/kg + 6,04
0402 99 31	(°)(°)	1,3219/kg + 23,13	0404 10 62	(°)	2,0773/kg + 6,04
0402 99 39	(°)(°)	1,3219/kg + 21,92	0404 10 72	(°)	0,2364/kg + 19,50
0402 99 91	(°)(°)	2,2353/kg + 23,13	0404 10 74	(°)	1,6915/kg + 25,54
0402 99 99	(°)(°)	2,2353/kg + 21,92	0404 10 76	(°)	2,0773/kg + 25,54
0403 10 02		119,86	0404 10 78	(°)	1,1261/kg + 25,54
0403 10 04		176,40	0404 10 82	(°)	1,6915/kg + 25,54
0403 10 06		214,98	0404 10 84	(°)	2,0773/kg + 25,54
0403 10 12	(°)	1,1261/kg + 26,75	0404 90 11		119,86
0403 10 14	(°)	1,6915/kg + 26,75	0404 90 13		176,40

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		214,98	0406 90 31	(°) (°)	161,82
0404 90 31		119,86	0406 90 33	(°) (°)	161,82
0404 90 33		176,40	0406 90 35	(°) (°)	161,82
0404 90 39		214,98	0406 90 37	(°) (°)	161,82
0404 90 51	(°)	1,1261/kg + 26,75	0406 90 39	(°) (°)	161,82
0404 90 53	(°) (°)	1,6915/kg + 26,75	0406 90 50	(°) (°)	161,82
0404 90 59	(°)	2,0773/kg + 26,75	0406 90 61	(°) (°)	364,60
0404 90 91	(°)	1,1261/kg + 26,75	0406 90 63	(°) (°)	364,60
0404 90 93	(°) (°)	1,6915/kg + 26,75	0406 90 69	(°) (°)	364,60
0404 90 99	(°)	2,0773/kg + 26,75	0406 90 73	(°) (°)	161,82
0405 00 11	(°)	233,97	0406 90 75	(°) (°)	161,82
0405 00 19	(°)	233,97	0406 90 76	(°) (°)	161,82
0405 00 90		285,44	0406 90 78	(°) (°)	161,82
0406 10 20	(°) (°)	203,93	0406 90 79	(°) (°)	161,82
0406 10 80	(°) (°)	258,54	0406 90 81	(°) (°)	161,82
0406 20 10	(°) (°)	364,60	0406 90 82	(°) (°)	161,82
0406 20 90	(°) (°)	364,60	0406 90 84	(°) (°)	161,82
0406 30 10	(°) (°)	165,33	0406 90 85	(°) (°)	161,82
0406 30 31	(°) (°)	153,24	0406 90 86	(°) (°)	161,82
0406 30 39	(°) (°)	165,33	0406 90 87	(°) (°)	161,82
0406 30 90	(°) (°)	262,05	0406 90 88	(°) (°)	161,82
0406 40 10	(°) (°)	139,75	0406 90 93	(°) (°)	203,93
0406 40 50	(°) (°)	139,75	0406 90 99	(°) (°)	258,54
0406 40 90	(°) (°)	139,75	1702 10 10		66,61
0406 90 11	(°) (°)	213,78	1702 10 90		66,61
0406 90 13	(°) (°)	146,89	2106 90 51		66,61
0406 90 15	(°) (°)	146,89	2309 10 15		86,88
0406 90 17	(°) (°)	146,89	2309 10 19		112,78
0406 90 19	(°) (°)	364,60	2309 10 39		105,38
0406 90 21	(°) (°)	213,78	2309 10 59		86,27
0406 90 23	(°) (°)	161,82	2309 10 70		112,78
0406 90 25	(°) (°)	161,82	2309 90 35		86,88
0406 90 27	(°) (°)	161,82	2309 90 39		112,78
0406 90 29	(°) (°)	161,82	2309 90 49		105,38
			2309 90 59		86,27
			2309 90 70		112,78

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

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

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

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

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

- for which an IMA 1 certificate, issued in accordance with Regulation (EEC) No 1767/82, is presented,
  - for which an EUR 1 certificate, issued in accordance with amended Regulation (EEC) No 1316/93 for Sweden, amended Regulation (EEC) No 584/92 for Poland, the Czech and Slovak Republics and Hungary and Commission Regulation (EC) No 385/94 (OJ No L 50, 22. 2. 1994, p. 7) for Bulgaria and Romania, is presented,
- shall be subject to the levies defined in the said Regulations, respectively.

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

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

## COMMISSION REGULATION (EC) No 1228/94

of 30 May 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 <sup>(1)</sup>, as amended by Commission Regulation (EEC) No 2193/93 <sup>(2)</sup>, and in particular Article 10 <sup>(5)</sup> and Article 11 <sup>(3)</sup> 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>(3)</sup>, as amended by Regulation (EC) No 3528/93 <sup>(4)</sup>,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 819/94 <sup>(5)</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 27 May 1994, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 819/94 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 31 May 1994.

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

Done at Brussels, 30 May 1994.

*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 196, 5. 8. 1993, p. 22.

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

<sup>(4)</sup> OJ No L 320, 22. 12. 1993, p. 32.

<sup>(5)</sup> OJ No L 94, 13. 4. 1994, p. 16.

## ANNEX

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

(ECU/tonne)

CN code	Third countries <sup>(*)</sup>
0709 90 60	99,82 <sup>(2)</sup> <sup>(3)</sup>
0712 90 19	99,82 <sup>(2)</sup> <sup>(3)</sup>
1001 10 00	40,67 <sup>(1)</sup> <sup>(3)</sup>
1001 90 91	93,79
1001 90 99	93,79 <sup>(*)</sup>
1002 00 00	122,37 <sup>(*)</sup>
1003 00 10	125,96
1003 00 90	125,96 <sup>(*)</sup>
1004 00 00	100,83
1005 10 90	99,82 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	99,82 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	105,85 <sup>(*)</sup>
1008 10 00	34,26 <sup>(*)</sup>
1008 20 00	50,69 <sup>(*)</sup> <sup>(*)</sup>
1008 30 00	0 <sup>(*)</sup>
1008 90 10	( <sup>(7)</sup> )
1008 90 90	0
1101 00 00	168,86 <sup>(*)</sup>
1102 10 00	210,43
1103 11 10	96,49
1103 11 90	192,81
1107 10 11	177,83
1107 10 19	135,62
1107 10 91	235,09 <sup>(10)</sup>
1107 10 99	178,41 <sup>(*)</sup>
1107 20 00	206,12 <sup>(10)</sup>

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

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

<sup>(\*)</sup> Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

<sup>(10)</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.

**COMMISSION REGULATION (EC) No 1229/94****of 30 May 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 <sup>(1)</sup>, as amended by Commission Regulation (EEC) No 2193/93 <sup>(2)</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>(3)</sup>, as amended by Regulation (EC) No 3528/93 <sup>(4)</sup>,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93 <sup>(5)</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 27 May 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 31 May 1994.

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

Done at Brussels, 30 May 1994.

*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 196, 5. 8. 1993, p. 22.

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

<sup>(4)</sup> OJ No L 320, 22. 12. 1993, p. 32.

<sup>(5)</sup> OJ No L 159, 1. 7. 1993, p. 11.

## ANNEX

to the Commission Regulation of 30 May 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CN code	(ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
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	2,03	1,07
1001 90 99	0	0	2,03	1,07
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	2,84	1,51
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	(ECU/tonne)				
	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	0	3,61	1,90	1,90
1107 10 19	0	0	2,70	1,42	1,42
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 1230/94**  
**of 30 May 1994**  
**fixing the import levies on white sugar and raw sugar**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 133/94 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy <sup>(3)</sup>, as amended by Regulation (EC) No 3528/93 <sup>(4)</sup>, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 <sup>(5)</sup>, as last amended by Regulation (EC) No 1185/94 <sup>(6)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1695/93 to the information known to the Commission that the

levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 27 May 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 31 May 1994.

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

Done at Brussels, 30 May 1994.

*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 22, 27. 1. 1994, p. 7.

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

<sup>(4)</sup> OJ No L 320, 22. 12. 1993, p. 32.

<sup>(5)</sup> OJ No L 159, 1. 7. 1993, p. 40.

<sup>(6)</sup> OJ No L 131, 26. 5. 1994, p. 13.

## ANNEX

**to the Commission Regulation of 30 May 1994 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

CN code	Levy <sup>(1)</sup>
1701 11 10	33,80 <sup>(1)</sup>
1701 11 90	33,80 <sup>(1)</sup>
1701 12 10	33,80 <sup>(1)</sup>
1701 12 90	33,80 <sup>(1)</sup>
1701 91 00	38,00
1701 99 10	38,00
1701 99 90	38,00 <sup>(2)</sup>

<sup>(1)</sup> The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

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

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



**COMMISSION REGULATION (EC) No 1231/94****of 30 May 1994****amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance**

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products <sup>(1)</sup>, as last amended by Regulation (EEC) No 1974/93 <sup>(2)</sup>, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2596/93 <sup>(4)</sup>, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance <sup>(5)</sup>, as last amended by Regulation (EC) No 3450/93 <sup>(6)</sup>, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 1192/94 <sup>(7)</sup> fixing the export refunds on milk and milk products adjusts the refunds on certain milk products; whereas the aid for certain products listed in Annex II to Regulation (EEC) No 2219/92 should be adapted in order to take account of those adjustments,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 June 1994.

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

Done at Brussels, 30 May 1994.

*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 180, 23. 7. 1993, p. 26.

<sup>(3)</sup> OJ No L 179, 1. 7. 1992, p. 6.

<sup>(4)</sup> OJ No L 238, 23. 9. 1993, p. 24.

<sup>(5)</sup> OJ No L 218, 1. 8. 1992, p. 75.

<sup>(6)</sup> OJ No L 316, 17. 12. 1993, p. 4.

<sup>(7)</sup> OJ No L 132, 27. 5. 1994, p. 16.

## ANNEX

## ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter <sup>(1)</sup> :			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	( <sup>1</sup> )	5,18
0401 10 90	– – Other	0401 10 90 000	( <sup>1</sup> )	5,18
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	( <sup>1</sup> )	5,18
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	( <sup>1</sup> )	8,00
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	( <sup>1</sup> )	5,18
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	( <sup>1</sup> )	8,00
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	( <sup>1</sup> )	10,65
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 500	( <sup>1</sup> )	12,41
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	( <sup>1</sup> )	10,65
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 500	( <sup>1</sup> )	12,41
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 100	( <sup>1</sup> )	15,94
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 400	( <sup>1</sup> )	24,58
	– Exceeding 17 %	0401 30 11 700	( <sup>1</sup> )	36,93
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 100	( <sup>1</sup> )	15,94
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 400	( <sup>1</sup> )	24,58
	– Exceeding 17 %	0401 30 19 700	( <sup>1</sup> )	36,93
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 100	( <sup>1</sup> )	43,98
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 400	( <sup>1</sup> )	68,67
	– Exceeding 39 %	0401 30 31 700	( <sup>1</sup> )	75,72

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	— — — Other :			
	— Of a fat content, by weight :			
	— Not exceeding 35 %	0401 30 39 100	(1)	43,98
	— Exceeding 35 % but not exceeding 39 %	0401 30 39 400	(1)	68,67
	— Exceeding 39 %	0401 30 39 700	(1)	75,72
	— — Exceeding 45 % :			
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres :			
	— Of a fat content, by weight :			
	— Not exceeding 68 %	0401 30 91 100	(1)	86,30
	— Exceeding 68 % but not exceeding 80 %	0401 30 91 400	(1)	126,85
	— Exceeding 80 %	0401 30 91 700	(1)	148,02
0401 30 99	— — — Other :			
	— Of a fat content, by weight :			
	— Not exceeding 68 %	0401 30 99 100	(1)	86,30
	— Exceeding 68 % but not exceeding 80 %	0401 30 99 400	(1)	126,85
	— Exceeding 80 %	0401 30 99 700	(1)	148,02
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 000 0402 10 19 000	(2)	60,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 900 0402 21 19 900	(2)	104,50
0405 00	Butter and other fats and oils derived from milk :			
0405 00 11	— Of a fat content, by weight, not exceeding 85 % :			
	— — In immediate packings of a net content not exceeding 1 kg			
	— Of a fat content, by weight, not exceeding 85 % :			
	— Of less than 62 %	0405 00 11 100		—
	— Of 62 % or more but less than 78 %	0405 00 11 200		120,98
	— Of 78 % or more but less than 80 %	0405 00 11 300		152,20
	— Of 80 % or more but less than 82 %	0405 00 11 500		156,10
	— Of 82 % or more	0405 00 11 700		160,00
0405 00 19	— — Other :			
	— Of a fat content, by weight, not exceeding 85 % :			
	— Of less than 62 %	0405 00 19 100		—
	— Of 62 % or more but less than 78 %	0405 00 19 200		120,98
	— Of 78 % or more but less than 80 %	0405 00 19 300		152,20
	— Of 80 % or more but less than 82 %	0405 00 19 500		156,10
	— Of 82 % or more	0405 00 19 700		160,00
0405 00 90	— Other :			
	— Of a fat content, by weight :			
	— Not exceeding 99,5 %	0405 00 90 100		160,00
	— Exceeding 99,5 %	0405 00 90 900		206,00
ex 0406	Cheeses :			
0406 90 23	Edam	0406 90 23 900		116,04
0406 90 25	Tilsit	0406 90 25 900		116,04
0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø	0406 90 76 100		94,99

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 78	- - - - - Gouda - - - - - Other cheeses, of a water content, calculated by weight, of the non-fatty matter	0406 90 78 100		94,99
0406 90 79	Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	0406 90 79 900		98,34
0406 90 81	Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	0406 90 81 900		111,46
0406 90 86	- - - - - Exceeding 47 % but not exceeding 52 % :			
	- Cheeses produced from whey	0406 90 86 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 86 200	(3)	76,73
	- Of 5 % or more but less than 19 %	0406 90 86 300	(3)	84,13
	- Of 19 % or more but less than 39 %	0406 90 86 400	(3)	94,99
	- Of more than 39 %	0406 90 86 900	(3)	111,46
0406 90 87	- - - - - Exceeding 52 % but not exceeding 62 % :			
	- Cheeses produced from whey	0406 90 87 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 87 200	(3)	76,73
	- Of 5 % or more but less than 19 %	0406 90 87 300	(3)	84,13
	- Of 19 % or more but less than 39 %	0406 90 87 400	(3)	94,99
	- Of more than 39 % :			
	- Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk	0406 90 87 951	(3)	129,47
	- Maasdam	0406 90 87 971	(3)	116,04
	- Manouri, of a fat content, by weight, of 30 % or more	0406 90 87 972	(3)	41,13
	- Other	0406 90 87 979	(3)	116,04
0406 90 88	- - - - - Exceeding 62 % but not exceeding 72 % :			
	- Cheeses produced from whey	0406 90 88 100		—
	- Other :			
	- Of a fat content, by weight in the dry matter :			
	- Of less than 5 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 200	(3)	76,73
	- Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 300	(3)	84,13
	- Other	0406 90 88 900		—

(<sup>1</sup>) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted. When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(<sup>2</sup>) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(<sup>3</sup>) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

---

**COMMISSION REGULATION (EC) No 1232/94**  
**of 30 May 1994**

**amending Regulation (EEC) No 2164/92 laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance**

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products <sup>(1)</sup>, as last amended by Regulation (EEC) No 1974/93 <sup>(2)</sup>, and in particular Article 3 <sup>(4)</sup> thereof,

Whereas Commission Regulation (EEC) No 1695/92 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2596/93 <sup>(4)</sup>, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Annex II to Commission Regulation (EEC) No 2164/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance <sup>(5)</sup>, as last amended by

Regulation (EC) No 3450/93 <sup>(6)</sup>, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 1192/94 <sup>(7)</sup> fixing the export refunds on milk and milk products adjust the refunds on certain milk products; whereas the aid for certain products listed in Annex II to Commission Regulation (EEC) No 2164/92 should be adapted to take account of those adjustments,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EEC) No 2164/92 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 June 1994.

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

Done at Brussels, 30 May 1994.

*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 180, 23. 7. 1993, p. 26.

<sup>(3)</sup> OJ No L 179, 1. 7. 1992, p. 1.

<sup>(4)</sup> OJ No L 238, 23. 9. 1993, p. 24.

<sup>(5)</sup> OJ No L 217, 31. 7. 1992, p. 17.

<sup>(6)</sup> OJ No L 316, 17. 12. 1993, p. 4.

<sup>(7)</sup> OJ No L 132, 27. 5. 1994, p. 16.

## ANNEX

## ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter <sup>(1)</sup> :			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	( <sup>1</sup> )	5,18
0401 10 90	— — Other	0401 10 90 000	( <sup>1</sup> )	5,18
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	( <sup>1</sup> )	5,18
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	( <sup>1</sup> )	8,00
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	( <sup>1</sup> )	5,18
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	( <sup>1</sup> )	8,00
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	( <sup>1</sup> )	10,65
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 500	( <sup>1</sup> )	12,41
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	( <sup>1</sup> )	10,65
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 500	( <sup>1</sup> )	12,41
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 100	( <sup>1</sup> )	15,94
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 400	( <sup>1</sup> )	24,58
	— — — Exceeding 17 %	0401 30 11 700	( <sup>1</sup> )	36,93
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 100	( <sup>1</sup> )	15,94
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 400	( <sup>1</sup> )	24,58
	— — — Exceeding 17 %	0401 30 19 700	( <sup>1</sup> )	36,93
	— — Exceeding 21 % but not exceeding 45 %:			
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 35 %	0401 30 31 100	( <sup>1</sup> )	43,98
	— — — Exceeding 35 % but not exceeding 39 %	0401 30 31 400	( <sup>1</sup> )	68,67
	— — — Exceeding 39 %	0401 30 31 700	( <sup>1</sup> )	75,72

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	— — — Other : — Of a fat content, by weight : — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 % :	0401 30 39 100 0401 30 39 400 0401 30 39 700	(1) (1) (1)	43,98 68,67 75,72
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres : — Of a fat content, by weight : — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 100 0401 30 91 400 0401 30 91 700	(1) (1) (1)	86,30 126,85 148,02
0401 30 99	— — — Other : — Of a fat content, by weight : — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 100 0401 30 99 400 0401 30 99 700	(1) (1) (1)	86,30 126,85 148,02
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter :			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % : — — Not containing added sugar or other sweetening matter <sup>(2)</sup> :			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 000	(2)	60,00
0402 10 19	— — — Other — — Other <sup>(3)</sup> :	0402 10 19 000	(2)	60,00
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 000	(3)	0,6000
0402 10 99	— — — Other — In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % :	0402 10 99 000	(3)	0,6000
0402 21	— — Not containing added sugar or other sweetening matter <sup>(2)</sup> : — — — Of a fat content, by weight, not exceeding 27 % :			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 11 200 0402 21 11 300 0402 21 11 500 0402 21 11 900	(2) (2) (2) (2)	60,00 91,58 96,82 104,50
0402 21 17	— — — — — Other :			
0402 21 19	— — — — — Of a fat content, by weight, not exceeding 11 % — — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 % : — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 17 000 0402 21 19 300 0402 21 19 500 0402 21 19 900	(2) (3) (2) (2)	60,00 91,58 96,82 104,50
	— — — Of a fat content, by weight, exceeding 27 % :			



(in ECU/100 kg weight, if no other indication)				
CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 21 91	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 7 %	0402 21 91 100 0402 21 91 200 0402 21 91 300 0402 21 91 400 0402 21 91 500 0402 21 91 600 0402 21 91 700 0402 21 91 900	(2) (2) (2) (2) (2) (2) (2) (2)	105,31 106,08 107,46 115,39 118,10 128,54 134,75 141,68
0402 21 99	— — — — Other : — Of a fat content, by weight : — Not exceeding 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 79 %	0402 21 99 100 0402 21 99 200 0402 21 99 300 0402 21 99 400 0402 21 99 500 0402 21 99 600 0402 21 99 700 0402 21 99 900	(2) (2) (2) (2) (2) (2) (2) (2)	105,31 106,08 107,46 115,39 118,10 128,54 134,75 141,68
ex 0402 29	— — Other (3) : — — — Of a fat content, by weight, not exceeding 27 % : — — — — Other :			
0402 29 15	— — — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 29 15 200 0402 29 15 300 0402 29 15 500 0402 29 15 900	(3) (3) (3) (3)	0,6000 0,9158 0,9682 1,0450
0402 29 19	— — — — — Other : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 % :	0402 29 19 200 0402 29 19 300 0402 29 19 500 0402 29 19 900	(3) (3) (3) (3)	0,6000 0,9158 0,9682 1,0450

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 29 91	<ul style="list-style-type: none"> <li>- - - - In immediate packings of a net content not exceeding 2,5 kg :</li> <li>- Of a fat content, by weight :</li> <li>- Not exceeding 41 %</li> <li>- Exceeding 41 %</li> </ul>	<ul style="list-style-type: none"> <li>0402 29 91 100</li> <li>0402 29 91 500</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>1,0531</li> <li>1,1539</li> </ul>
0402 29 99	<ul style="list-style-type: none"> <li>- - - - Other :</li> <li>- Of a fat content, by weight :</li> <li>- Not exceeding 41 %</li> <li>- Exceeding 41 %</li> </ul>	<ul style="list-style-type: none"> <li>0402 29 99 100</li> <li>0402 29 99 500</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>1,0531</li> <li>1,1539</li> </ul>
0402 91	<ul style="list-style-type: none"> <li>- Other :</li> <li>- - Not containing added sugar or other sweetening matter (<sup>2</sup>) :</li> <li>- - - Of a fat content, by weight, not exceeding 8 % :</li> </ul>			
0402 91 11	<ul style="list-style-type: none"> <li>- - - - In immediate packings of a net content not exceeding 2,5 kg :</li> <li>- Of a non-fat lactic dry matter content :</li> <li>- Of less than 15 % and of a fat content, by weight :</li> <li>- Not exceeding 3 %</li> <li>- Exceeding 3 %</li> <li>- Of 15 % or more and of a fat content, by weight :</li> <li>- Not exceeding 3 %</li> <li>- Exceeding 3 % but not exceeding 7,4 %</li> <li>- Exceeding 7,4 %</li> </ul>	<ul style="list-style-type: none"> <li>0402 91 11 110</li> <li>0402 91 11 120</li> <li>0402 91 11 310</li> <li>0402 91 11 350</li> <li>0402 91 11 370</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>5,18</li> <li>10,65</li> <li>18,15</li> <li>22,42</li> <li>27,47</li> </ul>
0402 91 19	<ul style="list-style-type: none"> <li>- - - - Other :</li> <li>- Of a non-fat lactic dry matter content :</li> <li>- Of less than 15 % and of a fat content, by weight :</li> <li>- Not exceeding 3 %</li> <li>- Exceeding 3 %</li> <li>- Of 15 % or more and of a fat content, by weight :</li> <li>- Not exceeding 3 %</li> <li>- Exceeding 3 % but not exceeding 7,4 %</li> <li>- Exceeding 7,4 %</li> <li>- - - Of a fat content, by weight, exceeding 8 % but not exceeding 10 % :</li> </ul>	<ul style="list-style-type: none"> <li>0402 91 19 110</li> <li>0402 91 19 120</li> <li>0402 91 19 310</li> <li>0402 91 19 350</li> <li>0402 91 19 370</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>5,18</li> <li>10,65</li> <li>18,15</li> <li>22,42</li> <li>27,47</li> </ul>
0402 91 31	<ul style="list-style-type: none"> <li>- - - - In immediate packings of a net content not exceeding 2,5 kg :</li> <li>- Of a non-fat lactic dry matter content :</li> <li>- Of less than 15 %</li> <li>- Of 15 % or more</li> </ul>	<ul style="list-style-type: none"> <li>0402 91 31 100</li> <li>0402 91 31 300</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>21,05</li> <li>32,47</li> </ul>
0402 91 39	<ul style="list-style-type: none"> <li>- - - - Other :</li> <li>- Of a non-fat lactic dry matter content :</li> <li>- Of less than 15 %</li> <li>- Of 15 % or more</li> <li>- - - Of a fat content, by weight, exceeding 10 % but not exceeding 45 % :</li> </ul>	<ul style="list-style-type: none"> <li>0402 91 39 100</li> <li>0402 91 39 300</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>21,05</li> <li>32,47</li> </ul>
0402 91 51	<ul style="list-style-type: none"> <li>- - - - In immediate packings of a net content not exceeding 2,5 kg</li> </ul>	0402 91 51 000	( <sup>2</sup> )	24,58
0402 91 59	<ul style="list-style-type: none"> <li>- - - - Other</li> <li>- - - Of a fat content, by weight, exceeding 45 % :</li> </ul>	0402 91 59 000	( <sup>2</sup> )	24,58
0402 91 91	<ul style="list-style-type: none"> <li>- - - - In immediate packings of a net content not exceeding 2,5 kg</li> </ul>	0402 91 91 000	( <sup>2</sup> )	86,30
0402 91 99	<ul style="list-style-type: none"> <li>- - - - Other</li> </ul>	0402 91 99 000	( <sup>2</sup> )	86,30

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 99	— — Other :			
	— — — Of a fat content, by weight, not exceeding 9,5 % :			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg :			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight <sup>(3)</sup> :			
	— Not exceeding 3 %	0402 99 11 110	<sup>(3)</sup>	0,0518
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 130	<sup>(3)</sup>	0,1065
	— Exceeding 6,9 %	0402 99 11 150	<sup>(3)</sup>	0,1769
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight <sup>(4)</sup> :			
	— Not exceeding 3 %	0402 99 11 310	<sup>(4)</sup>	20,94
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 330	<sup>(4)</sup>	25,30
	— Exceeding 6,9 %	0402 99 11 350	<sup>(4)</sup>	33,90
0402 99 19	— — — — Other :			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight <sup>(3)</sup> :			
	— Not exceeding 3 %	0402 99 19 110	<sup>(3)</sup>	0,0518
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 130	<sup>(3)</sup>	0,1065
	— Exceeding 6,9 %	0402 99 19 150	<sup>(3)</sup>	0,1769
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight <sup>(4)</sup> :			
	— Not exceeding 3 %	0402 99 19 310	<sup>(4)</sup>	20,94
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 330	<sup>(4)</sup>	25,30
	— Exceeding 6,9 %	0402 99 19 350	<sup>(4)</sup>	33,90
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 % :			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg :			
	— Of a fat content, by weight, not exceeding 21 % :			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % <sup>(3)</sup>	0402 99 31 110	<sup>(3)</sup>	0,2282
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more <sup>(4)</sup>	0402 99 31 150	<sup>(4)</sup>	35,31
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % <sup>(3)</sup>	0402 99 31 300	<sup>(3)</sup>	0,4398
	— Of a fat content, by weight, exceeding 39 % <sup>(3)</sup>	0402 99 31 500	<sup>(3)</sup>	0,7572
0402 99 39	— — — — Other :			
	— Of a fat content, by weight, not exceeding 21 % :			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % <sup>(3)</sup>	0402 99 39 110	<sup>(3)</sup>	0,2282
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more <sup>(4)</sup>	0402 99 39 150	<sup>(4)</sup>	35,31
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % <sup>(3)</sup>	0402 99 39 300	<sup>(3)</sup>	0,4398
	— Of a fat content, by weight, exceeding 39 % <sup>(3)</sup>	0402 99 39 500	<sup>(3)</sup>	0,7572
	— — — Of a fat content, by weight, exceeding 45 % :			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg <sup>(3)</sup>	0402 99 91 000	<sup>(3)</sup>	0,8630
0402 99 99	— — — — Other <sup>(3)</sup>	0402 99 99 000	<sup>(3)</sup>	0,8630

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0405 00	Butter and other fats and oils derived from milk :			
0405 00 11	– Of a fat content, by weight, not exceeding 85 % :			
	– – In immediate packings of a net content not exceeding 1 kg			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 11 000		—
	– Of 62 % or more but less than 78 %	0405 00 11 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 11 300		152,20
	– Of 80 % or more but less than 82 %	0405 00 11 500		156,10
	– Of 82 % or more	0405 00 11 700		160,00
0405 00 19	– – Other :			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 19 100		—
	– Of 62 % or more but less than 78 %	0405 00 19 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 19 300		152,20
	– Of 80 % or more but less than 82 %	0405 00 19 500		156,10
	– Of 82 % or more	0405 00 19 700		160,00
0405 00 90	– Other :			
	– Of a fat content, by weight :			
	– Not exceeding 99,5 %	0405 00 90 100		160,00
	– Exceeding 99,5 %	0405 00 90 900		206,00
0406	– Cheese :			
0406 30	– Processed, cheese, not grated or powdered (*) :			
0406 30 10	– – In the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger); put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 % :			
	– – – In the blending of which only Emmentaler and Gruyere have been used of a fat content by weight in the dry matter, not exceeding 56 % :			
	– – – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :			
	– – – – – Not exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 27 %	0406 30 10 100		—
	– Of 27 % or more but less than 33 %	0406 30 10 150		19,58
	– Of 33 % or more but less than 38 %	0406 30 10 200		41,74
	– Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 10 250		41,74
	– Of 20 % or more	0406 30 10 300		61,24
	– Of 43 % or more and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 10 350		41,74
	– Of 20 % or more but less than 40 %	0406 30 10 400		61,24
	– Of 40 % or more	0406 30 10 450		89,12
	– – – – – Exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 33 %	0406 30 10 500		—
	– Of 33 % or more but less than 38 %	0406 30 10 550		41,74
	– Of 38 % or more but less than 43 %	0406 30 10 600		61,24

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 30 10 (cont'd)	<ul style="list-style-type: none"> <li>— Of 43 % or more but less than 46 %</li> <li>— Of 46 % or more and of a fat content, by weight, in the dry matter : <ul style="list-style-type: none"> <li>— Of less than 55 %</li> <li>— Of 55 % or more</li> </ul> </li> <li>— — — Of a fat content, by weight, exceeding 36 %</li> <li>— — — Other</li> <li>— — Other :</li> <li>— — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :</li> </ul>	0406 30 10 650  0406 30 10 700 0406 30 10 750 0406 30 10 800 0406 30 10 900		89,12  89,12 108,78 108,78 —
0406 30 31	<ul style="list-style-type: none"> <li>— — — Not exceeding 48 % : <ul style="list-style-type: none"> <li>— Of a dry matter content, by weight : <ul style="list-style-type: none"> <li>— Of less than 27 %</li> <li>— Of 27 % or more but less than 33 %</li> <li>— Of 33 % or more but less than 38 %</li> <li>— Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : <ul style="list-style-type: none"> <li>— Of less than 20 %</li> <li>— Of 20 % or more</li> </ul> </li> <li>— Of 43 % or more and of a fat content, by weight, in the dry matter : <ul style="list-style-type: none"> <li>— Of less than 20 %</li> <li>— Of 20 % or more but less than 40 %</li> <li>— Of 40 % or more</li> </ul> </li> </ul> </li> </ul> </li> </ul>	0406 30 31 100 0406 30 31 300 0406 30 31 500  0406 30 31 710 0406 30 31 730  0406 30 31 910 0406 30 31 930 0406 30 31 950	          (5) (5)	          19,58 41,74
0406 30 39	<ul style="list-style-type: none"> <li>— — — Exceeding 48 % : <ul style="list-style-type: none"> <li>— Of a dry matter content, by weight : <ul style="list-style-type: none"> <li>— Of less than 33 %</li> <li>— Of 33 % or more but less than 38 %</li> <li>— Of 38 % or more but less than 43 %</li> <li>— Of 43 % or more but less than 46 %</li> <li>— Of 46 % or more and of a fat content, by weight, in the dry matter : <ul style="list-style-type: none"> <li>— Of less than 55 %</li> <li>— Of 55 % or more</li> </ul> </li> </ul> </li> </ul> </li> </ul>	0406 30 39 100 0406 30 39 300 0406 30 39 500 0406 30 39 700  0406 30 39 930 0406 30 39 950	        (5) (5) (5)	        41,74 61,24 89,12
0406 30 90	<ul style="list-style-type: none"> <li>— — — Of a fat content, by weight, exceeding 36 %</li> </ul>	0406 30 90 000	(5)	108,78
0406 90 23	<ul style="list-style-type: none"> <li>— — — Edam : <ul style="list-style-type: none"> <li>— Of a fat content, by weight, in the dry matter : <ul style="list-style-type: none"> <li>— Of less than 39 %</li> <li>— Of 39 % or more</li> </ul> </li> </ul> </li> </ul>	0406 90 23 100 0406 90 23 900	 (5)	 116,04
0406 90 25	<ul style="list-style-type: none"> <li>— — — Tilsit : <ul style="list-style-type: none"> <li>— Of a fat content, by weight, in the dry matter : <ul style="list-style-type: none"> <li>— Of less than 39 %</li> <li>— Of 39 % or more</li> </ul> </li> </ul> </li> </ul>	0406 90 25 100 0406 90 25 900	 (5)	 116,04

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 27	— — — Butterkäse : — Of a fat content, by weight, in the dry matter : — Of less than 39 % — Of 39 % or more	0406 90 27 100 0406 90 27 900	(°) (°)	— 98,34
0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % — Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 76 100 0406 90 76 300 0406 90 76 500	(°) (°) (°)	94,99 116,04 116,04
0406 90 78	— — — — — Gouda : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % — Of a fat content, by weight, in the dry matter of 55 % or more — — — — — Other cheeses, of a water content, calculated by weight, of the non-fatty matter	0406 90 78 100 0406 90 78 300 0406 90 78 500	(°) (°) (°)	94,99 116,04 116,04
0406 90 79	— — — — — Estrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin and Taleggio : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 79 100 0406 90 79 900	(°) (°)	— 98,34
0406 90 81	— — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby and Monterey : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 81 100 0406 90 81 900	(°) (°)	— 111,46
0406 90 86	— — — — — Exceeding 47 % but not exceeding 52 % : — Cheeses produced from whey — Other : — Of a fat content, by weight, in the dry matter : — Of less than 5 % — Of 5 % or more but less than 19 % — Of 19 % or more but less than 39 % — Of more than 39 %	0406 90 86 100 0406 90 86 200 0406 90 86 300 0406 90 86 400 0406 90 86 900	(°) (°) (°) (°)	— 76,73 84,13 94,99 111,46

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 87	<p>----- Exceeding 52 % but not exceeding 62 % :</p> <p>— Cheeses produced from whey</p> <p>— Other :</p> <p>— Of a fat content, by weight, in the dry matter :</p> <p>— Of less than 5 %</p> <p>— Of 5 % or more but less than 19 %</p> <p>— Of 19 % or more but less than 39 %</p> <p>— Of more than 39 % :</p> <p>— Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk</p> <p>— Maasdam</p> <p>— Manouri, of a fat content, by weight, of 30 % or more</p> <p>— Other</p>	<p>0406 90 87 100</p> <p>0406 90 87 200</p> <p>0406 90 87 300</p> <p>0406 90 87 400</p> <p>0406 90 87 951</p> <p>0406 90 87 971</p> <p>0406 90 87 972</p> <p>0406 90 87 979</p>	<p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p>	<p>—</p> <p>76,73</p> <p>84,13</p> <p>94,99</p> <p>129,47</p> <p>116,04</p> <p>41,13</p> <p>116,04</p>
0406 90 88	<p>----- Exceeding 62 % but not exceeding 72 % :</p> <p>— Cheeses produced from whey</p> <p>— Other :</p> <p>— Of a fat content, by weight, in the dry matter :</p> <p>— Of less than 5 % and of a dry matter content, by weight, of 32 % or more</p> <p>— Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more</p> <p>— Other</p>	<p>0406 90 88 100</p> <p>0406 90 88 200</p> <p>0406 90 88 300</p> <p>0406 90 88 900</p>	<p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p> <p>(<sup>1</sup>)</p>	<p>—</p> <p>76,73</p> <p>84,13</p> <p>—</p>

(<sup>1</sup>) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(<sup>2</sup>) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(<sup>3</sup>) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product ;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68 (OJ No L 184, 29. 7. 1968, p. 10).  
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :  
— the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,  
— the lactose content of the added whey.
- (\*) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements :
- (a) the amount per 100 kilograms shown ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be :  
— multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then  
— divided by the weight of the lactic part contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.  
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :  
— the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,  
— the lactose content of the added whey.
- (\*) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (\*) Where the product contains casein and/or caseinates, the part corresponding to the casein and/or the added caseinates will not be taken into account for the purpose of calculating the aid.  
When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.'
-



## COMMISSION REGULATION (EC) No 1233/94

of 30 May 1994

re-establishing the preferential customs duty on imports of multiflorous (spray)  
carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco<sup>(1)</sup>, as amended by Regulation (EEC) No 3551/88<sup>(2)</sup>, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

Whereas Council Regulation (EEC) No 2604/93<sup>(3)</sup> opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 2890/93<sup>(4)</sup> fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88<sup>(5)</sup>, as last amended by Regulation (EEC) No 2917/93<sup>(6)</sup>, laid

down detailed rules for the application of these arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(7)</sup>, as amended by Regulation (EC) No 3528/93<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>, as amended by Regulation (EC) No 547/94<sup>(10)</sup>;

Whereas the preferential customs duty fixed for multiflorous (spray) carnations originating in Israel by Regulation (EEC) No 2604/93 was suspended by Commission Regulation (EC) No 3591/93<sup>(11)</sup>;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the last indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for multiflorous (spray) carnations originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

*Article 1*

For imports of multiflorous (spray) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel the preferential customs duty set by Regulation (EEC) No 2604/93 is reintroduced.

*Article 2*

This Regulation shall enter into force on 31 May 1994.

<sup>(1)</sup> OJ No L 382, 31. 12. 1987, p. 22.

<sup>(2)</sup> OJ No L 311, 17. 11. 1988, p. 1.

<sup>(3)</sup> OJ No L 239, 24. 9. 1993, p. 1.

<sup>(4)</sup> OJ No L 263, 22. 10. 1993, p. 10.

<sup>(5)</sup> OJ No L 72, 18. 3. 1988, p. 16.

<sup>(6)</sup> OJ No L 264, 23. 10. 1993, p. 33.

<sup>(7)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(8)</sup> OJ No L 320, 22. 12. 1993, p. 32.

<sup>(9)</sup> OJ No L 108, 1. 5. 1993, p. 96.

<sup>(10)</sup> OJ No L 69, 12. 3. 1994, p. 1.

<sup>(11)</sup> OJ No L 326, 28. 12. 1993, p. 54.

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

Done at Brussels, 30 May 1994.

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

---

## COUNCIL REGULATION (EC) No 1234/94

of 30 May 1994

fixing the basic price and the buying-in price for cauliflowers, peaches,  
nectarines, lemons, tomatoes and apricots for June 1994

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, and in particular Article 16 (1) thereof,

Having regard to the proposal from the Commission,

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

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price must be fixed for each marketing year for each of the products listed in Annex II to that Regulation; whereas the products harvested during a given crop year are marketed from January to December of each year in the case of tomatoes, from May to August of each year in the case of apricots, from May to October of each year in the case of peaches and nectarines, from May to April of the following year in the case of cauliflowers and from June to May of the following year in the case of lemons; whereas, however, in accordance with the third subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, no basic price or buying-in price need be fixed for the slack marketing periods at the beginning and end of the marketing year;

Whereas, to ensure the continuity of cauliflower and lemon prices and the possibility of intervention in the case of peaches, nectarines and apricots from 1 June 1994 and in the case of tomatoes from 11 June 1994, the basic price and the buying-in price for these products must be fixed for the period 1 June to 30 June 1994, pending a decision for the 1994/95 marketing year,

*Article 1*

For the period 1 June to 30 June 1994, the basic price and the buying-in price for cauliflowers, peaches, nectarines, lemons, apricots and tomatoes expressed in ECU per 100 kilograms net, shall be as follows:

	<i>Basic price</i>	<i>Buying-in price</i>
for cauliflowers	24,58	10,65
for peaches	44,77	24,87
for nectarines	58,37	28,01
for lemons	41,98	24,66
for apricots	41,16	23,44
for tomatoes (11 to 20 June)	28,15	10,70
(21 to 30 June)	25,61	9,94

These prices refer respectively to:

- trimmed cauliflowers of quality Class I, put up in packaging,
- packed peaches of the Amsden, Cardinal, Charles Ingouf, Dixired, Jerinomo, J.H. Hale, Merrill Gemfree, Michelini, Red Haven, San Lorenzo, Springcrest and Springtime varieties of quality Class I, size 61 to 67 mm,
- packed nectarines of the Armking, Crimsongold, Early Sun Grand, Fantasia, Independence, May Grand, Nectared, Snow Queen and Stark Red Gold varieties of quality Class I, size 61 to 67 mm,
- packed lemons of quality Class I, size 53 to 62 mm,
- packed apricots of quality Class I of a size over 30 mm,
- packed 'round' and 'ribbed' tomatoes of quality Class I, size 57 to 67 mm.

These prices do not include the cost of the packaging in which the product is presented.

*Article 2*

This Regulation shall enter into force on 1 June 1994.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EC) No 3669/93 (OJ No L 338, 31. 12. 1993, p. 26).

<sup>(2)</sup> OJ No C 128, 9. 5. 1994.

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

Done at Brussels, 30 May 1994.

*For the Council*

*The President*

G. MORAITIS

---