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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2255/94**of 19 September 1994****fixing the difference in white sugar prices to be used in calculating the levy for processed fruit and vegetable products and for wine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 549/94 ⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987, on the common organization of the market in wine ⁽³⁾ as last amended by Regulation (EC) No 1891/94 ⁽⁴⁾, and in particular Article 55 (3) thereof,

Whereas, in order that the Member States may determine the amount of the levy applicable in respect of the various added sugars to imports of the products listed in Annex III to Regulation (EEC) No 426/86 and of the products falling within CN codes 2009 60 11, 2009 60 71, 2009 60 79 and 2204 30 99 which are listed in Article 1 (2) (a) of Regulation (EEC) No 822/87, it is necessary in accordance with Article 10 (3) of Regulation (EEC) No 426/86 and Article 55 (2) of Regulation (EEC) No 822/87 to determine the difference between, firstly, the average of the threshold prices for one kilogram of white sugar for

each month of the quarter for which the difference is being determined and, secondly, the average of the cif prices for one kilogram of white sugar used in fixing the levies on white sugar, as calculated for a period comprising the first 15 days of the month preceding the quarter for which the difference is being determined and the two months immediately preceding that month; whereas, pursuant to the abovementioned Regulations, this difference must be determined by the Commission for each quarter of the calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 October to 31 December 1994 the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 55 (2) of Regulation (EEC) No 822/87 is fixed at ECU 0,4011.

Article 2

This Regulation shall enter into force on 1 October 1994.

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

Done at Brussels, 19 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 197, 30. 7. 1994, p. 42.

COMMISSION REGULATION (EC) No 2256/94
of 19 September 1994
fixing the sluice-gate prices and levies for pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75, must be fixed in advance for each quarter in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 1611/90 of 15 June 1990 fixing the sluice-gate prices and levies on pigmeat⁽³⁾;

Whereas, since sluice-gate prices and levies for pigmeat were last fixed by Commission Regulation (EC) No 1976/94⁽⁴⁾, for the period 1 August to 30 September 1994, they must be fixed anew for the period 1 October to 31 December 1994; whereas such prices and levies should in principle be fixed by reference to feed grain prices for the period 1 April to 31 August 1994;

Whereas, when the sluice-gate price applicable from 1 October, 1 January and 1 April is being fixed, trends in world market prices for feed grain are to be taken into account only if the value of the quantity of feed grain required varies by at least a specified minimum in relation to that used in calculating the sluice-gate price for the preceding quarter; whereas this minimum was fixed by Council Regulation (EEC) No 2766/75⁽⁵⁾, as last amended by Regulation (EEC) No 3906/87⁽⁶⁾, at 3 %;

Whereas the value of the quantity of feed grain varies by more than 3 % from that used for the preceding quarter; whereas, therefore, trends in world market prices for feed

grain must be taken into account when fixing sluice-gate prices for the period 1 October to 31 December 1994;

Whereas, when the levies applicable from 1 October, 1 January and 1 April are being fixed, trends in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is being fixed;

Whereas, since a new sluice-gate price has been fixed trends in world market prices for feed grain must be taken into account in fixing the levies;

Whereas, in the case of pigmeat products, in respect of which the rate of duty has been bound within GATT, the levies should be limited to the amounts resulting from that binding;

Whereas, by Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽⁷⁾, as last amended by Regulation (EC) No 3668/93⁽⁸⁾, and Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States)⁽⁹⁾, as last amended by Regulation (EC) No 235/92⁽¹⁰⁾, special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain pigmeat products;

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

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.
⁽³⁾ OJ No L 152, 16. 6. 1990, p. 18.
⁽⁴⁾ OJ No L 198, 30. 7. 1994, p. 124.
⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 25.
⁽⁶⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽⁷⁾ OJ No L 370, 31. 12. 1990, p. 121.
⁽⁸⁾ OJ No L 338, 31. 12. 1993, p. 22.
⁽⁹⁾ OJ No L 84, 30. 3. 1990, p. 85.
⁽¹⁰⁾ OJ No L 30, 3. 2. 1994, p. 12.
⁽¹¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas Council Regulations (EC) No 3491/93⁽¹⁾ and (EC) No 3492/93⁽²⁾, on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republics of Hungary and Poland, of the other part, and Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽³⁾, as amended by Regulation (EEC) No 2235/93⁽⁴⁾, and in particular Article 1 thereof introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 2698/93⁽⁵⁾, as amended by Regulation (EC) No 3560/93⁽⁶⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards pigmeat;

Whereas, in addition, account must be taken of Decision 94/1/ECSC, EC of the Council and Commission⁽⁷⁾, concerning the conclusion of the Agreements on the European Economic Area, between the European Community, the European Coal and Steel Community and their Member States, on the one hand, and Austria, Finland, Iceland, Norway, Sweden and Liechtenstein, on the other hand, hereafter referred to as the 'EEA Agreement'; whereas the Bilateral Agreements on agriculture between the Community, on the one hand, and Austria and Finland, on the other hand, enter into force at the same time as the EEA Agreement; whereas Commission Regulation (EC) No 3580/93⁽⁸⁾ lays down detailed rules for the application of the import arrangements for these products originating in Austria and Finland;

Whereas Council Regulations (EC) No 3641/93⁽⁹⁾ and (EC) No 3642/93⁽¹⁰⁾ on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part,

and the Republic of Bulgaria and Romania, of the other part; whereas Commission Regulation (EC) No 1590/94⁽¹¹⁾ lays down detailed rules for applying the arrangements provided for in these agreements as regards pigmeat;

Whereas Council Regulation (EC) No 774/94⁽¹²⁾ has opened Community tariff quotas for certain agricultural products and fixed the levies to be applied on imports of those products; whereas Regulation (EC) No 1432/94⁽¹³⁾ has established the detailed rules of the import regime for pigmeat laid down in Regulation (EC) No 774/94;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 October to 31 December 1994, the sluice-gate prices and levies provided for in Articles 12 and 8 respectively of Regulation (EEC) No 2759/75 for the products referred to in Article 1 (1) thereof shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 or 1602 90 10, in respect of which the rate of duty has been bound conforming to the general Agreement on Tariffs and Trade (GATT), the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 October 1994.

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

Done at Brussels, 19 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁴⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 80.

⁽⁶⁾ OJ No L 324, 24. 12. 1993, p. 42.

⁽⁷⁾ OJ No L 1, 3. 1. 1994, p. 1.

⁽⁸⁾ OJ No L 326, 28. 12. 1993, p. 16.

⁽⁹⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽¹⁰⁾ OJ No L 333, 31. 12. 1993, p. 17.

⁽¹¹⁾ OJ No L 167, 1. 7. 1994, p. 16.

⁽¹²⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽¹³⁾ OJ No L 156, 23. 6. 1994, p. 14.

ANNEX

to the Commission Regulation of 19 September 1994 fixing the sluice-gate prices and levies
on pigmeat

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg) ⁽¹⁾	Conventional rate of duty bound within GATT (%)
0103 91 10	68,79	37,58	—
0103 92 11	58,51	31,96	—
0103 92 19	68,79	37,58 ^(*)	—
0203 11 10	89,46	48,87 ^(*) ⁽²⁾ ⁽³⁾	—
0203 12 11	129,72	70,86 ^(*) ⁽²⁾ ⁽³⁾	—
0203 12 19	100,20	54,73 ^(*) ⁽²⁾ ⁽³⁾	—
0203 19 11	100,20	54,73 ^(*) ⁽²⁾ ⁽³⁾	—
0203 19 13	144,93	79,16 ^(*) ⁽²⁾ ⁽³⁾ ⁽⁷⁾	—
0203 19 15	77,83	42,51 ^(*) ⁽²⁾ ⁽³⁾	—
0203 19 55	144,93	79,16 ^(*) ⁽²⁾ ⁽³⁾	—
0203 19 59	144,93	79,16 ^(*) ⁽²⁾ ⁽³⁾	—
0203 21 10	89,46	48,87 ^(*) ⁽²⁾ ⁽³⁾	—
0203 22 11	129,72	70,86 ^(*) ⁽²⁾ ⁽³⁾	—
0203 22 19	100,20	54,73 ^(*) ⁽²⁾ ⁽³⁾	—
0203 29 11	100,20	54,73 ^(*) ⁽²⁾ ⁽³⁾	—
0203 29 13	144,93	79,16 ⁽¹⁾ ^(*) ⁽²⁾ ⁽³⁾	—
0203 29 15	77,83	42,51 ^(*) ⁽²⁾ ⁽³⁾ ⁽⁷⁾	—
0203 29 55	144,93	79,16 ⁽¹⁾ ^(*) ⁽²⁾ ⁽³⁾	—
0203 29 59	144,93	79,16 ^(*) ⁽²⁾ ⁽³⁾	—
0206 30 21	108,25	59,13	7
0206 30 31	78,72	43,00	4
0206 41 91	108,25	59,13	7
0206 49 91	78,72	43,00	4
0209 00 11	35,78	19,55	—
0209 00 19	39,36	21,50	—
0209 00 30	21,47	11,73	—
0210 11 11	129,72	70,86 ⁽¹⁾ ^(*)	—
0210 11 19	100,20	54,73 ^(*)	—
0210 11 31	252,28	137,81 ^(*) ⁽²⁾	—
0210 11 39	198,60	108,49 ^(*)	—
0210 12 11	77,83	42,51 ⁽¹⁾ ^(*)	—
0210 12 19	129,72	70,86 ^(*) ⁽²⁾	—
0210 19 10	114,51	62,55 ^(*)	—
0210 19 20	125,24	68,41 ^(*)	—
0210 19 30	100,20	54,73 ^(*)	—
0210 19 40	144,93	79,16 ⁽¹⁾ ^(*)	—
0210 19 51	144,93	79,16 ^(*)	—
0210 19 59	144,93	79,16 ^(*)	—
0210 19 60	198,60	108,49 ^(*)	—
0210 19 70	249,59	136,34 ^(*)	—
0210 19 81	252,28	137,81 ^(*) ⁽²⁾	—
0210 19 89	252,28	137,81 ^(*)	—
0210 90 31	108,25	59,13	—
0210 90 39	78,72	43,00	—
1501 00 11	28,63	15,64	3
1501 00 19	28,63	15,64	—
1601 00 10	125,24	106,25 ⁽²⁾	24

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg) ⁽¹⁾	Conventional rate of duty bound within GATT (%)
1601 00 91	210,23	157,15 ⁽¹⁾ ⁽²⁾ ^(*) ⁽⁷⁾ ⁽⁶⁾	—
1601 00 99	143,14	101,78 ⁽¹⁾ ⁽²⁾ ^(*) ⁽⁷⁾ ⁽⁶⁾	—
1602 10 00	100,20	58,86	26
1602 20 90	116,30	93,38	25
1602 41 10	219,18	163,88 ^(*) ⁽⁶⁾	—
1602 42 10	183,39	128,04 ^(*) ⁽⁶⁾	—
1602 49 11	219,18	167,82 ^(*) ⁽⁶⁾	—
1602 49 13	183,39	124,78 ^(*) ⁽⁶⁾	—
1602 49 15	183,39	120,75 ⁽¹⁾ ^(*) ⁽⁶⁾	—
1602 49 19	120,77	85,21 ⁽¹⁾ ^(*) ⁽⁶⁾	—
1602 49 30	100,20	72,23 ^(*) ⁽⁶⁾	—
1602 49 50	59,94	60,63 ^(*) ⁽⁶⁾	—
1602 90 10	116,30	84,79	26
1602 90 51	120,77	82,26	—
1902 20 30	59,94	52,14	—

⁽¹⁾ The levy on products originating in the developing countries and listed in the Annex to Regulation (EEC) No 3834/90 is reduced by 50 % within the limits of the fixed amounts referred to in that Annex.

⁽²⁾ The levy on products originating in the ACP/OCT and listed in Article 8 of amended Regulation (EEC) No 715/90 reduced by 50 % within the limits of the quotas referred to in that Regulation.

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

^(*) For products imported from Poland, Hungary and the Czech and Slovak Republics, the levy applicable is restricted within the conditions provided for in Regulation (EEC) No 2698/93.

⁽⁵⁾ For products imported from Austria or Finland, the levy applicable is restricted within the conditions provided for in Regulation (EC) No 3580/93.

⁽⁶⁾ For products imported from Bulgaria and Romania, the levy applicable is restricted within the conditions provided for in Regulation (EC) No 1590/94.

⁽⁷⁾ For these imported products, the levy applicable is restricted within the conditions provided for in Council Regulation (EC) No 774/94.

NB: The CN codes and the footnotes are defined in amended Commission Regulation (EEC) No 2658/87.

COMMISSION REGULATION (EC) No 2257/94

of 16 September 1994

laying down quality standards for bananas

(Text with EEA relevance)

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

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as amended by Commission Regulation (EC) No 3518/93 ⁽²⁾, and in particular Article 4 thereof,

Whereas Regulation (EEC) No 404/93 makes provision for laying down common quality standards for bananas intended for consumption fresh, not including plantains; whereas the purpose of these standards is to ensure that the market is supplied with products of uniform and satisfactory quality, in particular in the case of bananas harvested in the Community, for which efforts to improve quality should be made;

Whereas, given the wide range of varieties marketed in the Community and of marketing practices, minimum standards should be set for unripened green bananas, without prejudice to the later introduction of standards applicable at a different marketing stage; whereas the characteristics of fig bananas and the way in which they are marketed are such that they should not be covered by the Community standards;

Whereas the banana-producing Member States already apply national standards within their territory at different stages in the marketing of bananas; whereas it seems appropriate, in view of the objectives pursued, to allow these existing rules to continue to apply to their own production but only at stages subsequent to unripened green bananas, provided those rules are not in conflict with the Community standards and do not impede the free circulation of bananas in the Community;

Whereas account should be taken of the fact that, because climatic factors make production conditions difficult in the Community regions of Madeira, the Azores, the

Algarve, Crete and Lakonia, bananas there do not develop to the minimum length laid down; whereas in these cases such bananas may still be marketed, but only in Class II;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quality standards applicable to bananas falling within CN code ex 0803, excluding plantains, fig bananas and bananas intended for processing, are laid down in Annex I hereto.

These standards shall apply to bananas originating in third countries at the stage of release for free circulation, to bananas originating in the Community at the stage of first landing at a Community port, and to bananas delivered fresh to the consumer in the producing region at the stage of leaving the packing shed.

Article 2

The standards laid down in Article 1 shall not affect the application, at later stages of marketing, of national rules which:

- do not impede the free circulation of bananas originating in third countries or other regions of the Community and complying with the standards laid down in this Regulation,
- and
- are not incompatible with the standards laid down in this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1995.

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

Done at Brussels, 16 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 15.

ANNEX I

QUALITY STANDARDS FOR BANANAS

I. DEFINITION OF PRODUCE

This standard applies to bananas of the varieties (cultivars) of *Musa* (AAA) spp., Cavendish and Gros Michel subgroups, referred to in Annex II, for supply fresh to the consumer after preparation and packaging. Plantains, bananas intended for industrial processing and fig bananas are not covered.

II. QUALITY

This standard defines the quality requirements to be met by unripened green bananas after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the bananas must be :

- green and unripened,
- intact,
- firm,
- sound ; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free from visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- with the stalk intact, without bending, fungal damage or dessication,
- with pistils removed,
- free from malformation or abnormal curvature of the fingers,
- practically free from bruises,
- practically free from damage due to low temperatures,
- free from abnormal external moisture,
- free from any foreign smell and/or taste.

In addition, hands and clusters (parts of hands) must include :

- a sufficient portion of crown of normal colouring, sound and free from fungal contamination,
- a cleanly cut crown, not beveled or torn, with no stalk fragments.

The physical development and ripeness of the bananas must be such as to enable them to :

- withstand transport and handling,
- and
- arrive in satisfactory condition at the place of destination in order to attain an appropriate degree of maturity after ripening.

B. Classification

Bananas are classified into the three classes defined below :

(i) 'Extra' class

Bananas in this class must be of superior quality. They must have the characteristics typical of the variety and/or commercial type.

The fingers must be free from defects, apart from slight superficial blemishes not covering a total of more than 1 cm² of the surface of the finger, which must not impair the general appearance of the hand or cluster, its quality, its keeping quality or the presentation of the package.

(ii) *Class I*

Bananas in this class must be of good quality. They must display the characteristics typical of the variety and/or commercial type.

However, the following slight defects of the fingers are allowed, provided they do not impair the general appearance of each hand or cluster, its quality, its keeping quality or the presentation of the package :

- slight defects in shape,
- slight skin defects due to rubbing and other slight superficial blemishes not covering a total of more than 2 cm² of the surface of the finger.

Under no circumstances may such slight defects affect the flesh of the fruit.

(iii) *Class II*

This class covers bananas which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The following defects of the fingers are allowed, provided the bananas retain their essential characteristics as regards quality, keeping quality and presentation :

- defects of shape,
- skin defects due to scraping, rubbing or other causes, provided that the total area affected does not cover more than 4 cm² of the surface of the finger.

Under no circumstances may the defects affect the flesh of the fruit.

III. SIZING

Sizing is determined by :

- the length of the edible pulp of the fruit, expressed in centimetres and measured along the convex face from the blossom end to the base of the peduncle,
- the grade, i.e. the measurement, in millimetres, of the thickness of a transverse section of the fruit between the lateral faces and the middle, perpendicularly to the longitudinal axis.

The reference fruit for measurement of the length and grade is :

- the median finger on the outer row of the hand,
- the finger next to the cut sectioning the hand, on the outer row of the cluster.

The minimum length permitted is 14 cm and the minimum grade permitted is 27 mm.

As an exception to the last paragraph, bananas produced in Madeira, the Azores, the Algarve, Crete and Lakonia which are less than 14 cm in length may be marketed in the Community but must be classified in Class II.

IV. TOLERANCES

Tolerances in respect of quality and size shall be allowed within each package in respect of produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *'Extra' class*

5 % by number or weight of bananas not satisfying the requirements for the 'extra' class but meeting those for Class I, or, exceptionally, coming within the tolerances for that class.

(ii) *Class I*

10 % by number or weight of bananas not satisfying the requirements of Class I but meeting those for Class II, or, exceptionally, coming within the tolerances for that class.

(iii) *Class II*

10 % by number or weight of bananas satisfying neither the requirements for Class II nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

B. Size tolerances

For all classes, 10 % by number of bananas not satisfying the sizing characteristics, up to a limit of 1 cm for the minimum length of 14 cm.

V. PRESENTATION

A. Uniformity

The contents of each package must be uniform and consist exclusively of bananas of the same origin, variety and/or commercial type, and quality.

The visible part of the contents of each package must be representative of the entire contents.

B. Packaging

The bananas must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a nature such as to avoid causing any external or internal deterioration of the produce. The use of materials such as, in particular, wrapping papers or adhesive labels bearing commercial indications is allowed provided that the printing and labelling is done with a non-toxic ink or glue.

Packages must be free from any foreign matter.

C. Presentation

The bananas must be presented in hands or clusters (parts of hands) of at least four fingers.

Clusters with not more than two missing fingers are allowed, provided that the stalk is not torn but cleanly cut, without damage to the neighbouring fingers.

Not more than one cluster of three fingers with the same characteristics as the other fruit in the package may be present per row.

In the producing regions, bananas may be marketed by the stem.

VI. MARKING

Each package must bear the following particulars in writing, all on the same side, legibly and indelibly marked and visible from the outside :

A. Identification

Packer and/or dispatcher	}	Name and address or officially issued or recognized conventional mark.
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B. Nature of produce

- The word 'Bananas' where the contents are not visible from the outside,
- the name of the variety or commercial type.

C. Origin of the product

Country of origin and, in the case of Community produce :

- production area, and
- (optionally) national, regional or local name.

D. Commercial specifications

- Class,
- net weight,
- size, expressed as minimum length and, optionally, as maximum length.

E. Official control mark (optional).

ANNEX II

List of the main groups, sub-groups and cultivars of dessert bananas marketed in the Community

Group	Sub-group	Main cultivars (non-exhaustive list)
AA	Sweet fig	Sweet fig, Pisang Mas, Amas Datil, Bocadillo
AB	Ney-Poovan	Ney Poovan, Safet Velchi
AAA	Cavendish	Dwarf Cavendish Giant Cavendish Lacatan Poyo (Robusta) Williams Americani Valery Arvis
	Gros Michel	Gros Michel ('Big Mike') Highgate
	Pink fig	Figue Rose Figue Rose Verte
	Ibota	
AAB	Fig apple	Fig apple, Silk
	Pome (Prata)	Pacovan Prata Ana
	Mysore	Mysore, Pisang Ceylan, Gorolo

COMMISSION REGULATION (EC) No 2258/94

of 19 September 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, 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 ⁽³⁾ 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 22 326 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 ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, for a given lot, given the small quantities to be supplied, the packaging methods and the large number of

destinations of the supplies, provision should be made for the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

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.

For lots A, B and C notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

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, 19 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A and B

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1994
3. **Recipient⁽²⁾**: Euronaïd, PO Box 12, NL-2501 CA Den Haag, Nederland; tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 NL EURON
4. **Representative of the recipient⁽¹⁾**: OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: oat flakes
7. **Characteristics and quality of the goods⁽³⁾ (7)**: OJ No C 114, 29. 4. 1991, p. 1 (under IIB.1 (e))
8. **Total quantity**: 936 tonnes (1 614 tonnes of cereals)
9. **Number of lots**: two (see Annex II)
10. **Packaging and marking⁽⁸⁾ (9) (10)**: OJ No C 114, 29. 4. 1991, p. 1 (under IIB (2) (f) and IIB (3))
Markings in Spanish (B3 + B4), French (A1-A8 + B1 + B2) and English (A9)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment⁽⁶⁾
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**: 7 — 27. 11. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time), on 4. 10. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 18. 10. 1994
 - (b) period for making the goods available at the port of shipment: 21. 11 — 11. 12. 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⁽¹⁾**: 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; telefax (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⁽⁴⁾**: refund applicable on 30. 9. 1994 fixed by Commission Regulation (EC) No 2106/94 (OJ No L 223, 27. 8. 1994, p. 11)

LOT C

1. **Operation No** ⁽¹⁾: see Annex II
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: Euronaid PO Box 12, NL-2501 CA Den Haag, Nederland; tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 euron nl
4. **Representative of the recipient** ⁽¹¹⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.1 (a))
8. **Total quantity**: 520 tonnes (712 tonnes of cereals)
9. **Number of lots**: one; see Annex II
10. **Packaging and marking** ⁽⁸⁾ ⁽⁹⁾ ⁽¹⁰⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2 (d) and II.B.3)
Markings in Spanish (C1) and French (C2-C6)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment ⁽⁶⁾
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**: 24. 10 — 13. 11. 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 4. 10. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 18. 10. 1994
 - (b) period for making the goods available at the port of shipment: 7 — 27. 11. 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** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 120, bureau 7/46, rue de la Loi 200, 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** ^(*): refund applicable on 30. 9. 1994, fixed by Commission Regulation (EC) No 2106/94 (OJ No L 223, 27. 8. 1994, p. 11)

LOT D

1. **Operation No⁽¹⁾**: 1712/93
2. **Programme**: 1993
3. **Recipient⁽²⁾**: Yemen
4. **Representative of the recipient**: General Corporation for Foreign Trade and Grains, Sanoa, Baghdad Street, PO Box 710; Contact person: Dr. Yahia S. Al'Arassi, General Manager (tel. 202345/356/179; fax 209511/542/543; telex 2262/2348/2349 A/B GCFTG)
5. **Place or country of destination⁽³⁾**: Yemen
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods⁽³⁾ (7)**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.1 (a))
8. **Total quantity**: 14 598 tonnes (20 000 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking⁽⁸⁾ (10)**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2 (d) and II.B.3) Markings in English
11. **Method of mobilization of product**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Hodeida
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 31. 10 — 20. 11. 1994
18. **Deadline for the supply**: 18. 12. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 4. 10. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 18. 10. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 14. 11. — 4. 12. 1994
 - (c) deadline for the supply: 1. 1. 1995
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⁽¹⁾**: 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 AGREC B or 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⁽⁴⁾**: refund applicable on 30. 9. 1994, fixed by Commission Regulation (EC) No 2106/94 (OJ No L 223, 27. 8. 1994, p. 11)

Notes :

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) 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.

- (4) 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.

- (5) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (6) For lots A, B and C notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
- (7) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document :

— phytosanitary certificate.

Lots C and D : The successful tenderer shall supply to the beneficiary or its representative, on delivery, a fumigation certificate (lot C : before shipment).

- (8) Notwithstanding OJ No C 114, point II B (3) (c) is replaced by the following : 'the words "European Community"'.

- (9) Shipment to take place in 20-foot (B3 : 40-foot) containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.

- (10) 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'.
- (11) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción nº	País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Πορτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action nº	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção nº	País de destino
A	648	A 1: 12	649/94	Madagascar
		A 2: 48	650/94	Madagascar
		A 3: 36	651/94	Madagascar
		A 4: 48	652/94	Madagascar
		A 5: 12	653/94	Madagascar
		A 6: 12	654/94	Madagascar
		A 7: 180	655/94	Rwanda
		A 8: 180	656/94	Rwanda
		A 9: 120	657/94	Ethiopia
B	288	B 1: 84	658/94	Togo
		B 2: 132	659/94	Haïti
		B 3: 36	660/94	República Dominicana
		B 4: 36	661/94	Perú
C	520	C 1: 140	784/94	Perú
		C 2: 20	785/94	Madagascar
		C 3: 20	786/94	Madagascar
		C 4: 60	787/94	Madagascar
		C 5: 60	788/94	Burundi
		C 6: 220	789/94	Vietnam

COMMISSION REGULATION (EC) No 2259/94
of 19 September 1994
introducing a countervailing charge on certain varieties of plum originating in Hungary

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⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EC) No 2173/94⁽³⁾, introduced a countervailing charge on certain varieties of plum originating in Hungary;

Whereas for these varieties of plum originating in Hungary there were no prices for six consecutive working

days; whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of certain varieties of plum originating in Hungary can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2173/94 is hereby repealed.

Article 2

This Regulation shall enter into force on 20 September 1994.

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

Done at Brussels, 19 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 232, 6. 9. 1994, p. 4.

COMMISSION REGULATION (EC) No 2260/94
of 19 September 1994
introducing a countervailing charge on certain varieties of plum originating in Hungary

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⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EC) No 2196/94⁽³⁾, introduced a countervailing charge on certain varieties of plum originating in Hungary;

Whereas for these varieties of plum originating in Hungary there were no prices for six consecutive working

days; whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of certain varieties of plum originating in Hungary can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2196/94 is hereby repealed.

Article 2

This Regulation shall enter into force on 20 September 1994.

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

Done at Brussels, 19 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 235, 9. 9. 1994, p. 41.

COMMISSION REGULATION (EC) No 2261/94

of 19 September 1994

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 1937/94 ⁽⁵⁾ and subsequent amending Regulations ;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 16

September 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 1937/94 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 20 September 1994.

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

Done at Brussels, 19 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 36.

ANNEX

to the Commission Regulation of 19 September 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	113,26 ⁽²⁾ ⁽³⁾
0712 90 19	113,26 ⁽²⁾ ⁽³⁾
1001 10 00	35,60 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	64,29
1001 90 99	64,29 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	104,78 ⁽⁹⁾
1003 00 10	91,75
1003 00 90	91,75 ⁽⁹⁾
1004 00 00	91,89
1005 10 90	113,26 ⁽²⁾ ⁽³⁾
1005 90 00	113,26 ⁽²⁾ ⁽³⁾
1007 00 90	117,82 ⁽⁴⁾
1008 10 00	30,04 ⁽⁹⁾
1008 20 00	38,01 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽³⁾
1008 90 10	(?)
1008 90 90	0
1101 00 00	128,05 ⁽⁹⁾
1102 10 00	185,03
1103 11 10	90,03
1103 11 90	149,65
1107 10 11	125,32
1107 10 19	96,39
1107 10 91	174,20 ⁽¹⁰⁾
1107 10 99	132,91 ⁽⁹⁾
1107 20 00	153,09 ⁽¹⁰⁾

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

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

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

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

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

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

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

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

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

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

⁽¹¹⁾ The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 2262/94

of 19 September 1994

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 1866/94⁽²⁾, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 1869/94⁽⁴⁾, 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⁽⁵⁾, as amended by Regulation (EC) No 3528/93⁽⁶⁾,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 2134/94⁽⁷⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne

of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78⁽⁹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93⁽¹⁰⁾ as fixed in the Annex to Regulation (EC) No 2134/94 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 20 September 1994.

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

Done at Brussels, 19 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 225, 31. 8. 1994, p. 25.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁰⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 19 September 1994 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (°)	
	ACP	Third countries (other than ACP)
1102 90 90	119,75	122,77
1103 19 90	119,75	122,77
1103 29 90	119,75	122,77
1104 19 99	211,32	217,36
1104 29 19	187,84	190,86
1104 29 39	187,84	190,86
1104 29 99	119,75	122,77

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 September 1994

adopting the plan allocating to the Member States resources to be charged to the 1995 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community

(94/617/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community ⁽¹⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽²⁾, as amended by Regulation (EC) No 3528/93 ⁽³⁾, and in particular Article 3 (4) and Article 6 (2) thereof,

Whereas Commission Regulation (EEC) No 3149/92 ⁽⁴⁾, as last amended by Regulation (EEC) No 2826/93 ⁽⁵⁾, lays down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community; whereas, in accordance with Article 2 of the abovementioned Regulation in order to implement the scheme for the supply of such food to the most deprived section of the population, the Commission must adopt a plan to be financed from resources available in

the 1995 budget year; whereas this plan should indicate in particular the quantity of products by type that may be withdrawn from intervention stock for distribution in each Member State and the financial resources made available to implement the plan in each Member State; whereas this plan should also indicate the level of appropriations to be reserved to cover costs of intra-Community transport of intervention products as referred to in Article 7 of Regulation (EEC) No 3149/92;

Whereas for this scheme the Member States involved in the measure have provided the information required in accordance with the provisions of Article 1 of Regulation (EEC) No 3149/92;

Whereas, to implement the plan, the conversion rates to be applied to the budgetary limits which have been set should be specified and Article 3 (4) of Regulation (EEC) No 3813/92 should be applied;

Whereas it is necessary in order to help optimize the utilization of budget appropriations to take account of the degree to which the Member States used the resources allocated to them in 1992, 1993 and 1994;

Whereas in accordance with the provisions of Article 2 (2) of Regulation (EEC) No 3149/92 the Commission has sought the advice of major organizations familiar with the problems of the most deprived persons in the Community when drawing up this plan;

Whereas the measures provided for in this Decision are in accordance with the opinions of all the relevant management committees,

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁴⁾ OJ No L 313, 30. 10. 1992, p. 50.

⁽⁵⁾ OJ No L 258, 16. 10. 1993, p. 11.

HAS ADOPTED THIS DECISION:

Article 1

For the 1995 financial year, foodstuffs from intervention stocks, intended to be distributed to the most deprived persons in the Community, pursuant to Regulation (EEC) No 3730/87, shall be supplied in accordance with the annual distribution plan set out in the Annex.

Article 2

The amounts in ecus shall be converted into national currencies using the rates applicable on 1 October 1994

and published in the *Official Journal of the European Communities*, series C.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 8 September 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Annual distribution plan for 1995

- (a) *Quantity of each type of product that may be withdrawn from intervention stocks for distribution in each Member State up to the maximum amounts indicated in point (b):*

(in tonnes)

Member State	Products							
	Common wheat	Durum wheat	Rice	Olive oil	Milk powder	Butter	Beef/veal	Cheese
Belgium	3 000				300	200	600	
Denmark							250	
Greece				6 500				
Spain		30 000		4 000		5 000	6 000	
France	5 000	8 500	2 000		7 500	1 500	6 000	
Ireland						50	1 450	
Italy		20 000	1 000	9 500		1 000	8 000	2 000
Luxembourg	20				25	15	15	
Netherlands						100	450	
Portugal	1 850	1 850	1 200	1 000	1 000	1 200	2 500	
United Kingdom							6 840	

- (b) *Financial resources available to carry out the plan in each Member State:*

(in ecus)

Member State	Allocation
Belgium	2 860 000
Denmark	2 000 000
Greece	14 160 000
Spain	41 765 000
France	33 695 000
Ireland	5 430 000
Italy	28 905 000
Luxembourg	75 000
Netherlands	2 300 000
Portugal	12 315 000
United Kingdom	29 495 000

- (c) *The appropriations needed to cover the intra-community transfer costs of the intervention products are fixed at ECU 2 million.*