

Official Journal

of the European Communities

ISSN 0378-6978

L 312

Volume 37

6 December 1994

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 2952/94 of 5 December 1994 amending Regulation (EC) No 2120/94 and increasing to 1 259 357 tonnes the amount of cereals held by the French intervention agency for which a standing invitation to tender for resale on the internal market has been opened	1
Commission Regulation (EC) No 2953/94 of 5 December 1994 amending Regulation (EC) No 2118/94 and increasing to 615 490 tonnes the amount of cereals held by the German intervention agency for which a standing invitation to tender for resale on the internal market has been opened	2
★ Commission Regulation (EC) No 2954/94 of 5 December 1994 setting detailed rules for application of Council Regulation (EC) No 1503/94 establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guyana as a result of their very remote location ⁽¹⁾	3
★ Commission Regulation (EC) No 2955/94 of 5 December 1994 amending Regulation (EEC) No 3665/87 laying down common detailed rules for the application of the system of export refunds on agricultural products	5
Commission Regulation (EC) No 2956/94 of 5 December 1994 on the supply of cereals as food aid	7
Commission Regulation (EC) No 2957/94 of 5 December 1994 on the transport for the free supply to Tajikistan and Kyrgyzstan of common wheat flour pursuant to Council Regulation (EC) No 1999/94	14
Commission Regulation (EC) No 2958/94 of 5 December 1994 fixing, for November 1994, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector	20
Commission Regulation (EC) No 2959/94 of 5 December 1994 repealing Regulation (EC) No 2885/94 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus	22

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.

Commission Regulation (EC) No 2960/94 of 5 December 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal	23
Commission Regulation (EC) No 2961/94 of 5 December 1994 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty	25
Commission Regulation (EC) No 2962/94 of 5 December 1994 fixing the export refunds on products processed from cereals and rice	28
Commission Regulation (EC) No 2963/94 of 5 December 1994 fixing the export refunds on cereal-based compound feedingstuffs	31
Commission Regulation (EC) No 2964/94 of 5 December 1994 fixing production refunds on cereals and rice	33

II Acts whose publication is not obligatory

Council

94/776/EC :

- ★ Council Decision of 28 November 1994 appointing an Ombudsman for Mostar for the duration of the European Union administration of Mostar ... 34

Commission

94/777/EC :

- ★ Commission Decision of 30 November 1994 laying down special conditions for the import of live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Turkey ⁽¹⁾ 35

94/778/EC :

- ★ Commission Decision of 30 November 1994 laying down special conditions for the import of frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Turkey ⁽¹⁾ 40

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2952/94

of 5 December 1994

amending Regulation (EC) No 2120/94 and increasing to 1 259 357 tonnes the amount of cereals held by the French intervention agency for which a standing invitation to tender for resale on the internal market has been opened

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 Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EC) No 2120/94⁽⁵⁾, as last amended by Regulation (EC) No 2789/94⁽⁶⁾, opened a standing invitation to tender for the resale on the internal market of 1 059 357 tonnes of cereals held by the French intervention agency;

Whereas in the present situation on the market the quantity of cereals held by the French intervention agency put

up for sale on the internal market of the Community should be increased to 1 259 357 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 2120/94 '400 000 tonnes of maize' is replaced by '600 000 tonnes of maize'.

Article 2

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

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

Done at Brussels, 5 December 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 10.

⁽⁶⁾ OJ No L 296, 17. 11. 1994, p. 22.

COMMISSION REGULATION (EC) No 2953/94**of 5 December 1994****amending Regulation (EC) No 2118/94 and increasing to 615 490 tonnes the amount of cereals held by the German intervention agency for which a standing invitation to tender for resale on the internal market has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EC) No 2118/94⁽⁵⁾, as amended by Regulation (EC) No 2787/94⁽⁶⁾, opened a standing invitation to tender for the resale on the internal market of 500 490 tonnes of cereals held by the German intervention agency;

Whereas in the present situation on the market the quantity of cereals held by the German intervention agency

put up for sale on the internal market of the Community should be increased to 615 490 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 2118/94 '100 000 tonnes of maize' is replaced by '215 000 tonnes of maize'.

Article 2

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

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

Done at Brussels, 5 December 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 8.

⁽⁶⁾ OJ No L 296, 17. 11. 1994, p. 20.

**COMMISSION REGULATION (EC) No 2954/94
of 5 December 1994**

**setting detailed rules for application of Council Regulation (EC) No 1503/94
establishing a system of compensation for the additional costs incurred in the
marketing of certain fishery products from the Azores, Madeira, the Canary
Islands and the French department of Guyana as a result of their very remote
location**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1503/94 of 27 June 1994 establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guyana⁽¹⁾, and in particular Article 3 thereof,

Whereas it is necessary to set detailed rules for implementing the system established by Regulation (EC) No 1503/94 so that action can be taken to grant Community aid for the purposes specified in that Regulation;

Whereas these rules concern primarily financial estimation for the system, identification of the recipients of aid and the procedures to be followed in regard to payments and monitoring of implementation of the system;

Whereas the detailed rules set out in this Regulation must be brought expeditiously into play given that Regulation (EC) No 1503/94 applies to 1994 only;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensation system established by Regulation (EC) No 1503/94 shall be implemented for 1994 in accordance with the provisions of this Regulation.

Article 2

1. For the Azores and Madeira the maximum aid granted shall be ECU 2 325 000 in payments of ECU 155 per tonne delivered for local industrial processing up to a maximum of 10 000 tonnes for the Azores and 5 000 tonnes for Madeira.

Should this overall annual quota of 15 000 tonnes not be exhausted by the catches of vessels registered at the ports of the Azores and/or Madeira the operators concerned may resort to use of tuna originating in other Member States. No Community assistance shall be paid on tuna imported from third countries.

2. For the Canary Islands the maximum aid granted shall be:

- (a) ECU 1 300 000 in payments of ECU 125 per tonne on tuna marketed fresh (including tuna sold for local industrial processing) up to a maximum of 10 400 tonnes;
- (b) ECU 157 500 in payments of ECU 45 per tonne on frozen tuna up to a maximum of 3 500 tonnes;
- (c) ECU 892 500 in payments of ECU 85 per tonne on sardines and mackerel delivered for local industrial processing up to a maximum of 10 500 tonnes;
- (d) ECU 315 000 in payments of ECU 45 per tonne on sardines and mackerel sold for freezing up to a maximum of 7 000 tonnes.

3. For the French department of Guyana the maximum aid granted shall be ECU 3 492 500 tonnes in payments of ECU 865 per tonne on a maximum of 3 500 tonnes of prawns caught by industrial fishing and of ECU 930 per tonne on a maximum quantity of 500 tonnes caught by non-industrial fishing.

Article 3

1. Recipients of aid under this Regulation shall be producers, their associations and processors in the regions indicated in Article 2 who are owners of vessels registered at the ports of and exercise their activities in these regions.

2. The competent national authorities shall require applications for compensation to be accompanied by documentation in evidence of the operations indicated in Article 2.

3. Member States shall send the Commission the national provisions for implementing this Regulation as regards allocation of aid among recipients. These provisions must ensure that aid is allocated in a balanced way.

4. Should applications to national authorities exceed the quantities specified in Article 2 they shall be met pro rata, account being taken of the quantities caught by applicants in the previous year.

5. Member States shall ensure by means of appropriate provisions that the requirements for application of the compensation system as detailed in Article 2, particularly as regards regularity of operations in connection with applications for Community assistance, pursuit of irregularities and recovery following detection of irregularity of the amounts paid out are met.

⁽¹⁾ OJ No L 162, 30. 6. 1994, p. 8.

Article 4

1. Payments shall be made during the 1994 financial year. Their amount shall be determined on the basis of applications submitted by the national body responsible for monitoring operation of the system.
2. Payment applications must be accompanied by supporting documentation in evidence of application of the system.

Article 5

1. National authorities shall make available to the Commission all information required for the purposes of application of this Regulation and shall make every

endeavour to facilitate such checks as the Commission may consider it useful to undertake, including verification on the spot.

2. Without prejudice to checks carried out by the Member States' authorities in line with national legislative, regulatory or administrative provisions, persons charged by the Commission with verification on the spot shall have access to all documents relating to expenditure financed by the Community under this Regulation.

Article 6

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

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

Done at Brussels, 5 December 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

COMMISSION REGULATION (EC) No 2955/94

of 5 December 1994

amending Regulation (EEC) No 3665/87 laying down common detailed rules for the application of the system of export refunds on agricultural 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 ⁽¹⁾, as last amended by Regulation (EC) No 2807/94 ⁽²⁾, and in particular Article 17 thereof, and to the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products,

Having regard to council Regulation (EEC) No 876/68 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 ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, and in particular the second subparagraph of Article 6 (2) and Article 6 (3) thereof, and to the corresponding provisions of the other Regulations on general rules on the granting of export refunds on agricultural products,

Whereas Article 18 of Commission Regulation (EEC) No 3665/87 ⁽⁵⁾, as last amended by Regulation (EC) No 1829/94 ⁽⁶⁾, provides for approval by the Commission of the control and supervisory agencies authorized to issue certificates of arrival at the destination of agricultural products in third countries;

Whereas, in the field of proof of arrival at destination, a Community approval system is by its very nature more cumbersome and less flexible than a system based on national approval, in particular in the event of total or partial withdrawal of the authorization of a supervisory agency for specific geographical areas and/or periods; whereas the approval of control and supervisory agencies at Community level will not produce any considerable progress given the fact that the Member States are best placed to judge whether a control and supervisory agency may be approved;

Whereas it is in the Community's interest to apply sufficiently precise guidelines for approval of control and supervisory agencies;

Whereas since the entry into force of the Interim Agreement on trade and customs union between the Community and San Marino ⁽⁷⁾ the territory of that State no longer forms part of the customs territory of the Community; whereas it follows from Articles 1, 5 and 7 of that Agreement that prices for agricultural products are at the same level within the customs union and that there is, therefore, no economic justification for granting export refunds on agricultural products from the Twelve consigned to San Marino;

Whereas for reasons of legal certainty it should be expressly stipulated that Community agricultural products intended for San Marino are exempt from the payment of export refunds;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3665/87 is hereby amended as follows:

1. Article 18 is amended as follows:

— paragraph 1 (b) is replaced by the following:

'(b) a certificate of unloading and release for consumption drawn up by an international control and supervisory agency approved by a Member State. The date and number of the customs document of release for consumption must appear on the certificate concerned.'

— paragraph 2 (c) is replaced by the following:

'(c) a certificate of unloading drawn up by an international control and supervisory agency approved by a Member State, certifying also

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 191, 27. 7. 1994, p. 5.

⁽⁷⁾ OJ No L 359, 9. 12. 1992, p. 13.

that the product has left the port zone or at least that, to its knowledge, the product has not subsequently been loaded for re-export ;',

— paragraph 5 is deleted.

2. Article 44 is amended as follows :

— the single paragraph is numbered paragraph 1,

— the following paragraph 2 is added :

'2. Agricultural products intended for San Marino shall not be regarded as exported for the purpose of the provisions on the payment of export refunds.'

Article 2

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, 5 December 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2956/94

of 5 December 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 10 230 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 and B, 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, 5 December 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

LOT A

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 ⁽³⁾**: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods ⁽⁴⁾ ⁽⁷⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.1 (a))
8. **Total quantity**: 1 498 tonnes (2 052 tonnes of cereals)
9. **Number of lots**: one; see Annex II
10. **Packaging and marking ⁽⁶⁾ ⁽⁸⁾ ⁽⁹⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2 (d) and II.B.3)
Language to be used for the marking: see Annex II
Supplementary markings: 'Date d'expiration...' (A8)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment ⁽¹²⁾
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**: 23. 1 — 12. 2. 1995
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 20. 12. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 1. 1995
 - (b) period for making the goods available at the port of shipment: 6. — 26. 2. 1995
 - (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 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer ⁽⁴⁾**: refund applicable on 30. 11. 1994, fixed by Commission Regulation (EC) No 2635/94 (OJ No L 280, 29. 10. 1994, p. 50)

LOT B

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; telefax 36 41 701; telex 30960 euron nl)
4. **Representative of the recipient⁽³⁾**: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods⁽⁴⁾ (7)**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (a))
8. **Total quantity**: 3 204 tonnes
9. **Number of lots**: one; see Annex II
10. **Packaging and marking⁽⁶⁾ (8) (9)**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 (c) and II.A.3)
Language to be used for the marking: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment⁽¹²⁾
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**: 23. 1. — 12. 2. 1995
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 20. 12. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 1. 1995
 - (b) period for making the goods available at the port of shipment: 6. — 26. 2. 1995
 - (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 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer⁽⁹⁾**: refund applicable on 30. 11. 1994, fixed by Commission Regulation (EC) No 2635/94 (OJ No L 280, 29. 10. 1994, p. 50)

LOT C

1. **Operation No** ⁽¹⁾: 385/94
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: UNHCR, boîte postale 2500, CH-1211 Genève 2 dépôt (tel. (41 22) 739 81 37; fax 731 07 76; telex 412404 CHHCR (Madame Seinet))
4. **Representative of the recipient**: UNHCR Liaison Office c/o Hotel Razdan, Yerevan, Armenia (tel. (007 8852) 56 08 44; fax 15 14 50)
5. **Place or country of destination**: Armenia
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**: 299 tonnes (411 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁸⁾ ⁽⁹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2 (a) and II.B.3)
Markings in English; supplementary markings: 'Expiry date: ...'
11. **Method of mobilization of product**: the Community market
12. **Stage of supply**: free destination
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**: see point 4
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 23. 1 — 5. 2. 1995
18. **Deadline for the supply**: 5. 3. 1995
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 20. 12. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 1. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 6. — 19. 2. 1995
 - (c) deadline for the supply: 19. 3. 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; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** ⁽¹⁾: refund applicable on 30. 11. 1994, fixed by Commission Regulation (EC) No 2635/94 (OJ No L 280, 29. 10. 1994, p. 50).

LOTS D, E, F and G

1. **Operation Nos** ⁽¹⁾: 864/94 (lot D), 865/94 (lot E), 866/94 (lot F) and 867/94 (Lot G).
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: UNRWA, Supply Division, Vienna International Centre, PO box 700, A-1400 Vienna (telex 135310 A; telefax (1) 230 75 29)
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer
 - D and E: Ashdod: Gaza c/o Field Supply and Transport officer, West Bank — West Bank PO box 19149 Jerusalem (tel. 972 (2) 89 05 55; fax 972 (2) 81 65 64; telex 26194 UNRWA IL)
 - F: Ashdod: West Bank, PO Box 19149, Jerusalem, Israel (tel. (972 2) 89 05 55; fax 81 65 64; telex (0606) 26194 IL UNRWA)
 - G: Beirut: PO Box 947, Beirut, Lebanon, (tel. (961 9) 86 31 50; fax 1 (212) 478 10 55; telex 21430/20177 UNRWA LE)
5. **Place or country of destination** ⁽¹⁰⁾: Israel (Lots D, E AND F) and Lebanon (Lot G)
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**: 3 331 tonnes (4 563 tonnes of cereals)
9. **Number of lots**: 4 (lot D: 1 360 tonnes; lot E: 850 tonnes, lot F: 680 tonnes and lot G: 441 tonnes)
10. **Packaging and marking** ⁽⁸⁾ ⁽⁹⁾ ⁽¹¹⁾:
 - see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2 (c) and II.B.3)
 - markings in English
11. **Method of mobilization**: the Community market
12. **Stage of supply**: lots D, E and F; free at port of landing — landed
13. **Port of shipment**: lot G: free at destination
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Ashdod (lots D, E and F)
16. **Address of the warehouse and, if appropriate, port of landing**: UNRWA warehouse Beirut (Lot G)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 23. 1 — 5. 2. 1995
18. **Deadline for the supply**: Lots D, E and F: 19. 2. 1995 and lot G: 26. 2. 1995
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 20. 12. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 1. 1995
 - (b) period for making the goods available at the port of shipment in case of award of tender at port of shipment stage: 6. — 19. 15. 1995
 - (c) deadline for the supply: lots D, E and F: 5. 3. 1995 and lot G: 12. 3. 1995
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % 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 AGREC B; (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: Refund applicable on 30. 11. 1994, fixed by Commission Regulation (EC) No 2635/94 (OJ No L 280, 29. 10. 1994, p. 50)

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) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (⁶) Shipment to take place in 20-foot containers, condition FCL/FCL, each containing 20 tonnes (lot A) and 18 tonnes (lot B) net. 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.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- phytosanitary certificate,
Lots A and B : The successful tenderer shall supply to the beneficiary or its representative, on delivery, a fumigation certificate (before shipment).
 - A1 : phytosanitary certificate must be legalized by the diplomatic representation in the country of origin of the goods.
- (⁸) Notwithstanding OJ No C 114, point II.A.3 (c) or II.B.3 (c) is replaced by the following : 'the words "European Community"'.
"
- (⁹) 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'.
- (¹⁰) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (¹¹) Shipment to take place in 20-foot-containers. Lots D, E and F : The contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of containers detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be born by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.
- After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.
- Ashdod : consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.
- (¹²) For lots A and B, notwithstanding Article 7 (3) of Regulation (EEC) No 2200/87, the tender may indicate two parts of shipment not necessarily belonging to the same port area.

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 n°	País de destino	Lengua que se debe utilizar en la rotulación
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland	Mærkning på følgende sprog
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland	Kennzeichnung in folgender Sprache
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού	Γλώσσα που πρέπει να χρησιμοποιηθεί για τη σήμανση
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination	Language to be used for the marking
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination	Langue à utiliser pour le marquage
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione	Lingua da utilizzare per la marcatura
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming	Taal te gebruiken voor de opschriften
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação n°	País de destino	Lingua a utilizar na rotulagem
A	1 498	A1 : 120	1087/94	Chile	Español
		A2 : 100	1088/94	Perú	Español
		A3 : 100	1089/94	Perú	Español
		A4 : 178	1090/94	Perú	Español
		A5 : 80	1091/94	Angola	Português
		A6 : 420	1092/94	Angola	Português
		A7 : 400	1093/94	Angola	Português
		A8 : 60	1094/94	Liban	Français
		A9 : 40	1095/94	Tunisie	Français
B	3 204	B1 : 3 186	1085/94	Bangladesh	English
		B2 : 18	1086/94	Madagascar	Français

COMMISSION REGULATION (EC) No 2957/94

of 5 December 1994

on the transport for the free supply to Tajikistan and Kyrgyzstan of common wheat flour pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan and Moldova ⁽¹⁾, as amended by Regulation (EC) No 2621/94 ⁽²⁾ and in particular Article 4 (2) thereof,

Whereas Commission Regulation (EC) No 2065/94 ⁽³⁾, established the detailed rules applicable to the free supply of agricultural products not available from intervention stocks but belonging to the same group of products provided for by Regulation (EC) No 1999/94; whereas, it is appropriate to open a tendering procedure for the supply of 30 000 tonnes of common wheat flour intended for Tajikistan and Kyrgyzstan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products in two lots;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 30 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 thereof.

2. The supply costs shall relate to the take-over of the flour fob, stowed on the boat, in the ports referred to in paragraph 3, and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I. The successful tenderer must ensure that the entire railway transport is effected in indivisible 'block trains'.

3. The flour will be made available for loading in the following manner:

Lot No 1

15 000 tonnes at a Community port situated elsewhere other than in the Mediterranean Sea:

- 5 000 tonnes with effect from 16 January 1995,
- 5 000 tonnes with effect from 23 January 1995,
- 5 000 tonnes with effect from 30 January 1995.

Lot No 2

15 000 tonnes at a Community port situated in the Mediterranean Sea:

- 5 000 tonnes with effect from 16 January 1995,
- 5 000 tonnes with effect from 23 January 1995,
- 5 000 tonnes with effect from 30 January 1995.

The ports will be definitively designated at the time of the award of the supply.

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

Commission of the European Communities,
EAGGF-Guarantee Section,
Division VI/G. 2 (Office 10/05),
Rue de la Loi 120,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 19 December 1994 at 17.00 hours (Brussels time).

In the case of non-acceptance of offers on 19 December, a second closing date for the lodgement of offers shall be 27 December 1994 at 17.00 hours (Brussels time).

In this case all of the dates referred to in Article 1 and Annex I shall be carried forward by seven days.

2. The offer shall relate to the supply of the total of the quantities of one lot referred to in Article 1 (3).

By way of derogation from Article 6 (1) (d) (1) of Regulation (EC) No 2065/94 the offer must specify the total amounts in ecu required for the total supply of one lot (net weight), and the amount in ECU per tonne (gross weight) offered for each destination, in accordance with Annex IV.

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 280, 29. 10. 1994, p. 2.

⁽³⁾ OJ No L 213, 18. 8. 1994, p. 3.

3. Point (c) of Article 12 (1) of Regulation (EC) No 2065/94 is not applicable.

4. By way of derogation from the amount referred to in Article 6 (1) (f) of Regulation (EC) No 2065/94 the tendering security is fixed at ECU 20 per tonne of flour, to be lodged in national currency.

5. By way of derogation from Article 8 of Regulation (EC) No 2065/94 the supply security must be lodged three working days before the take-over for each loading.

6. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 280 per tonne of flour, to be lodged in national currency.

7. The securities referred to in paragraphs 4 and 6 shall be lodged in favour of the Commission of the European Communities.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the places and by the authorities referred to in Annex II, on the basis of the model in Annex III.

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency of the Member State in which the port of take-over is situated shall deliver, upon completion of that operation, a certificate certifying the total removal of the quantities laid down for each date of availability.

Article 5

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, 5 December 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Lot No 1**

Packed on pallets of 1,05 tonnes, shrink wrapped and strapped.

Tajikistan :

7 500 tonnes of common wheat flour from a Community port situated elsewhere other than in the Mediterannea Sea.

Delivery stage :

Goods not unloaded at the frontier points.

Final delivery date at the frontier points :

Sari-Assia : 2 500 tonnes on 28 February 1995.

Amuzang (via Termes) : 2 500 tonnes on 28 February 1995.

Bekabad : 2 500 tonnes on 3 March 1995.

Kyrgyzstan :

7 500 tonnes of common wheat flour from a Community port situated elsewhere other than in the Mediterannea Sea.

Delivery stage :

Goods not unloaded at the frontier points.

Final delivery date at the frontier points :

Kara-Su : 2 500 tonnes on 3 March 1995.

Lugovaya : 2 500 tonnes on 8 March 1995.

Kara-Su : 2 500 tonnes on 8 March 1995.

Lot No 2

Packed on pallets of 1,05 tonnes, shrink wrapped and strapped.

Tajikistan :

7 500 tonnes of common wheat flour from a Community port situated in the Mediterannea Sea.

Delivery stage :

Goods not unloaded at the frontier points.

Final delivery date at the frontier points :

Sari-Assia : 2 500 tonnes on 28 February 1995.

Amuzang (via Termes) : 2 500 tonnes on 28 February 1995.

Bekabad : 2 500 tonnes on 3 March 1995.

Kyrgyzstan :

7 500 tonnes of common wheat flour from a Community port situated in the Mediterannea Sea.

Delivery stage :

Goods not unloaded at the frontier points.

Final delivery date at the frontier points :

Kara-Su : 2 500 tonnes on 3 March 1995.

Lugovaya : 2 500 tonnes on 8 March 1995.

Kara-Su : 2 500 tonnes on 8 March 1995.

ANNEX II

(a) Place of take-over in Tajikistan

1. Frontier points of Sari-Assia, Amuzang and Bekabad — goods not unloaded.

However, for the wagons of which the seals affixed by the representatives of the Commission are not intact at the designated frontier points, the take-over certificates may not be issued until after unloading and the quantitative and qualitative control of the goods to be effected at the first station inside the country at which unloading is possible.

2. Authority entitled to deliver the take-over certificate :

Ministry of Trade and Material Resources
of the Republic of Tajikistan,
Dunshanbe,
Ul. Bochtar No 37.

(b) Place of take-over in Kyrgyzstan :

1. Kara-Su and Lugovaya — goods not unloaded.

However, for the wagons of which the seals affixed by the representatives of the Commission are not intact at the designated frontier points, the take-over certificates may not be issued until after unloading and the quantitative and qualitative control of the goods to be effected at the first station inside the country at which unloading is possible.

2. Authority entitled to deliver the take-over certificate :

Humanitarian Aid Commission,
72003 Bishkek,
Dom Pravitelstva.

ANNEX III

Regulation (EC) No 2957/94

FLOUR

Take-over certificate on the arrival of the rail-wagons in Tajikistan and Kyrgyzstan

I, the undersigned
(name/first name/position)

acting on behalf of

certify that the goods indicated below have been taken over :

Type of product : common wheat flour

Place and date of take-over :

Wagon numbers			Seal numbers		
Departure	Quantities	Arrival (signature)	Departure	Arrival (signature or remarks ('))	Quantities (²)
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

(¹) If on arrival, the seals are not in order, instead of the signature insert 'to be checked'.
(²) To be completed only for the wagons which have been the subject of a check, inserting the weight found.

Name and address of the transport company :

Name and address of the monitoring agency :

Observations and remarks :
.....

Representative of monitoring agency Name, signature and stamp	Name, signature and stamp of the beneficiary
.....
.....

*ANNEX IV***Presentation of the offer**

Submission for Lot No 1 — from ports situated elsewhere other than in the Mediterranean Sea.

Total price: ECU ... for a net weight of 15 000 tonnes.

Unitary prices:

- to Tajikistan: ECU ... per tonne (gross weight),
- to Kyrgyzstan: ECU ... per tonne (gross weight).

Submission for Lot No 2 — from ports situated in the Mediterranean Sea.

Total price: ECU ... for a net weight of 15 000 tonnes.

Unitary prices:

- to Tajikistan: ECU ... per tonne (gross weight),
- to Kyrgyzstan: ECU ... per tonne (gross weight).

NB: Each submission must relate to only one lot — delete the part which is not applicable — if a tenderer is interested in the two lots he must present two completely separate offers.

COMMISSION REGULATION (EC) No 2958/94

of 5 December 1994

fixing, for November 1994, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

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 ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾,

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⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector ⁽⁵⁾, as amended by Regulation (EEC) No 2627/93 ⁽⁶⁾, and in particular Article 1 (3) thereof,

Whereas Article 1 (2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conversion rates applicable during the month of storage ;

whereas that specific rate must be fixed each month for the previous month ;

Whereas application of these provisions will lead to the fixing, for November, of the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The specific agricultural conversion rate to be used to convert the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into each of the national currencies for November 1994 shall be as indicated in the Annex hereto.

Article 2

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

It shall apply with effect from 1 November 1994.

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

Done at Brussels, 5 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 94.

⁽⁶⁾ OJ No L 240, 25. 9. 1993, p. 19.

ANNEX

fixing, for November 1994, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

Agricultural conversion rates		
ECU 1 =	49,3070	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	7,98191	French francs
	0,976426	Irish punt
	2,65256	Dutch guilders
	352,829	Greek drachmas
	192,319	Spanish pesetas
	2 339,97	Italian lire
	239,331	Portuguese escudos
	0,953575	Pound sterling

COMMISSION REGULATION (EC) No 2959/94**of 5 December 1994****repealing Regulation (EC) No 2885/94 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus**

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

Having regard to Council Regulation (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus ⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EC) No 2885/94 ⁽²⁾ applied the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 1252/73, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the convention factors and following deduction of import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive market days on the representative markets of the Community with the lowest quotations;

Whereas the present trend of prices of Cypriot products on the representative markets indicates that the condi-

tions set out in the second paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas Regulation (EC) No 2885/94 should therefore be repealed;

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

Regulation (EC) No 2885/94 is hereby repealed.

Article 2

This Regulation shall enter into force on 6 December 1994.

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

Done at Brussels, 5 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 113.

⁽²⁾ OJ No L 304, 29. 11. 1994, p. 27.

COMMISSION REGULATION (EC) No 2960/94**of 5 December 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 2

December 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 6 December 1994.

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

Done at Brussels, 5 December 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 5 December 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	87,85 ^(*) ⁽³⁾
0712 90 19	87,85 ^(*) ⁽³⁾
1001 10 00	2,52 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	58,68
1001 90 99	58,68 ^(*) ⁽¹¹⁾
1002 00 00	107,59 ^(*)
1003 00 10	87,09
1003 00 90	87,09 ^(*)
1004 00 00	91,42
1005 10 90	87,85 ^(*) ⁽³⁾
1005 90 00	87,85 ^(*) ⁽³⁾
1007 00 90	90,54 ^(*)
1008 10 00	31,41 ^(*)
1008 20 00	32,62 ^(*) ^(*)
1008 30 00	0 ^(*)
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	118,43 ^(*)
1102 10 00	187,90
1103 11 10	38,31
1103 11 90	140,50
1107 10 11	115,33
1107 10 19	88,92
1107 10 91	165,90 ⁽¹⁰⁾
1107 10 99	126,71 ^(*)
1107 20 00	145,87 ⁽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 2961/94

of 5 December 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 1869/94⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

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

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing 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⁽⁵⁾, as last amended by Regulation (EC) No 2296/94⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of

America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

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

Article 2

This Regulation shall enter into force on 6 December 1994.

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

Done at Brussels, 5 December 1994.

For the Commission

Martin BANGEMANN

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 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ No L 249, 24. 9. 1994, p. 9.

⁽⁷⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 5 December 1994 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : — used unprocessed : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases — used in the form of : — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — hulled grains of CN code 1104 and starch of CN code 1108 — germ of CN code 1104 — gluten of CN code 1109 — other (except flours of CN code 1101 and groats and meal of CN code 1103)	— — — — — — —
1001 90 99	Common wheat and meslin : — used unprocessed : — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America — in all other cases — used in the form of : — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — hulled grains of CN code 1104 and starch of CN code 1108 — germ of CN code 1104 — gluten of CN code 1109 — other (except flours of CN code 1101, and groats and meal of CN code 1103)	1,283 1,974 1,184 1,777 0,691 — 1,974
1002 00 00	Rye : — used unprocessed — used in the form of : — groats, meal and pellets of CN code 1103, or pearled grains of CN code 1104 — rolled or flaked grains and hulled grains of CN code 1104 — germ of CN code 1104 — starch of CN code 1108 19 90 — gluten of CN code 2303 10 90 — other (except flours of CN code 1102)	5,614 3,368 5,053 1,796 5,131 — 5,614
1003 00 90	Barley : — used unprocessed — used in the form of : — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 — pellets of CN code 1103 — germs of CN code 1104 — starch of CN code 1108 19 90 — gluten of CN code 2303 10 90 — other	4,916 3,441 2,950 1,796 5,131 — 4,916

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1004 00 00	Oats : — used unprocessed — used in the form of : — — pellets of CN code 1103, and pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	6,152 3,691 5,537 1,796 5,131 — 6,152
1005 90 00	Maize (Corn) : — used unprocessed — used in the form of : — — flours of CN codes 1102 20 10 and 1102 20 90 — — groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 — — pellets of CN code 1103 — — hulled or perled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 12 00 — — gluten of CN code 2303 10 11 — — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ — — other ⁽³⁾	5,131 3,592 4,105 3,079 4,618 1,796 5,131 2,052 5,131 5,131
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	21,313 18,975 18,975
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	27,500 27,500 27,500
1006 40 00	Broken rice : — used unprocessed — used in the form of : — — flour of CN code 1102 30, groats and meal or pellets of CN code 1103 — — flaked grains of CN 1104 19 91 — — starch of CN code 1108 19 10 — — other	6,200 6,200 3,720 6,200 —
1007 00 90	Sorghum	4,916
1101 00 00	Wheat or meslin flour : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 1,578 2,428
1102 10 00	Rye flour	7,691
1103 11 10	Groats and durum wheat meal : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 — —
1103 11 90	Common wheat groats and spelt : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 1,578 2,428

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

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

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

COMMISSION REGULATION (EC) No 2962/94

of 5 December 1994

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1869/94 ⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76 ⁽⁵⁾ laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EEC) No 1620/93 ⁽⁶⁾ on the import and export system for products processed from cereals and from rice defines the specific

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁷⁾, as amended by Regulation (EC) No 3528/93 ⁽⁸⁾, 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 ⁽⁹⁾, as amended by Regulation (EC) No 547/94 ⁽¹⁰⁾;

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

Whereas Council Regulation (EEC) No 990/93 ⁽¹¹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

⁽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 166, 25. 6. 1976, p. 36.

⁽⁶⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 6 December 1994.

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

Done at Brussels, 5 December 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 5 December 1994 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (¹)	Product code	Refund (¹)
1102 20 10 200 (²)	71,83	1104 23 10 300	59,01
1102 20 10 400 (²)	61,57	1104 29 11 000	20,13
1102 20 90 200 (²)	61,57	1104 29 91 000	19,74
1102 90 10 100	73,74	1104 29 95 000	19,74
1102 90 10 900	50,14	1104 30 10 000	4,94
1102 90 30 100	110,74	1104 30 90 000	12,83
1103 12 00 100	110,74	1107 10 11 000	35,14
1103 13 10 100 (²)	92,36	1107 10 91 000	87,50
1103 13 10 300 (²)	71,83	1108 11 00 200	39,48
1103 13 10 500 (²)	61,57	1108 11 00 300	39,48
1103 13 90 100 (²)	61,57	1108 12 00 200	82,10
1103 19 10 000	56,14	1108 12 00 300	82,10
1103 19 30 100	76,20	1108 13 00 200	82,10
1103 21 00 000	20,13	1108 13 00 300	82,10
1103 29 20 000	50,14	1108 19 10 200	94,24
1104 11 90 100	73,74	1108 19 10 300	94,24
1104 12 90 100	123,04	1109 00 00 100	0,00
1104 12 90 300	98,43	1702 30 51 000 (³)	107,24
1104 19 10 000	20,13	1702 30 59 000 (³)	82,10
1104 19 50 110	82,10	1702 30 91 000	107,24
1104 19 50 130	66,70	1702 30 99 000	82,10
1104 21 10 100	73,74	1702 40 90 000	82,10
1104 21 30 100	73,74	1702 90 50 100	107,24
1104 21 50 100	98,32	1702 90 50 900	82,10
1104 21 50 300	78,66	1702 90 75 000	112,37
1104 22 10 100	98,43	1702 90 79 000	77,99
1104 22 30 100	104,58	2106 90 55 000	82,10
1104 23 10 100	76,97		

(¹) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

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

(³) Refunds are granted in accordance with Regulation (EEC) No 2730/75 (OJ No L 281, 1. 11. 1975, p. 20), amended.

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

COMMISSION REGULATION (EC) No 2963/94

of 5 December 1994

fixing the export refunds on cereal-based compound feedingstuffs

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 the third subparagraph of Article 13 (4) thereof,

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

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EC) No 1707/94⁽⁴⁾, provides that calculation of the export refund must take account of, in particular, the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

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

Whereas under the terms of Article 4 of Commission Regulation (EEC) No 1619/93⁽⁵⁾, the refund may be varied on the basis of the destination;

Whereas the representative market areas defined in Article I of Council Regulation (EEC) No 3813/92⁽⁶⁾, as amended by Regulation (EC) No 3528/93⁽⁷⁾, are used on 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⁽⁸⁾, as amended by Regulation (EC) No 547/94⁽⁹⁾;

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

Whereas Council Regulation (EEC) No 930/93⁽¹⁰⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situation as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 December 1994.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁴⁾ OJ No L 180, 14. 7. 1994, p. 19.

⁽⁵⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹⁰⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 5 December 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 5 December 1994 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund ⁽¹⁾:

2309 10 11 000, 2309 10 13 000, 2309 10 31 000,
2309 10 33 000, 2309 10 51 000, 2309 10 53 000,
2309 90 31 000, 2309 90 33 000, 2309 90 41 000,
2309 90 43 000, 2309 90 51 000, 2309 90 53 000.

<i>(ECU/tonne)</i>	
Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products : CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10.	51,31
Cereal products ⁽²⁾ excluding maize and maize products	34,45

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

COMMISSION REGULATION (EC) No 2964/94
of 5 December 1994
fixing production refunds on 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 Regulation (EC) No 1866/94⁽²⁾, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 1869/94⁽⁴⁾, and in particular Article 9 (3) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁵⁾, as amended by Regulation (EC) No 1586/94⁽⁶⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1722/93 shall be ECU 55,23 per tonne.

Article 2

This Regulation shall enter into force on 6 December 1994.

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

Done at Brussels, 5 December 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 159, 1. 7. 1993, p. 112.

⁽⁶⁾ OJ No L 167, 1. 7. 1994, p. 5.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 28 November 1994

appointing an Ombudsman for Mostar for the duration of the European Union administration of Mostar

(94/776/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

1. The Council of the European Union will appoint a European Union Ombudsman for Mostar for the duration of the European Union administration.
2. He will be independent in the performance of his duties. He will reside in Mostar.
3. Any natural person residing in the European Union administrated area and any legal person operating in that area directly and individually concerned, who claims that his/her rights have been violated by a decision of the European Union Administrator based on a Regulation introduced pursuant to Article 10 (3) of the Memorandum of Understanding may bring that decision to the attention of the European Union Ombudsman for Mostar. The Ombudsman may deal

with the matter only if all other legal remedies have been exhausted.

4. The European Union Ombudsman for Mostar may address recommendations concerning claims referred to in paragraph 3 to the European Union Administrator. If, in a serious matter, the Administrator does not agree with the Ombudsman's recommendations, the Ombudsman may refer the matter to the Council of the European Union together with a written comment by the European Union Administrator.
5. This Decision shall enter into force as from today's date.
6. This Decision shall be published in the Official Journal.

Done at Brussels, 28 November 1994.

For the Council
The President
K. KINKEL

COMMISSION

COMMISSION DECISION

of 30 November 1994

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

(Text with EEA relevant)

(94/777/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Turkish legislation makes the Ministry of Agriculture and Rural Affairs responsible for inspecting the health of live bivalve molluscs, echinoderms, tunicates and marine gastropods and monitoring the hygiene and sanitary conditions of production; whereas the same legislation empowers the Ministry of Agriculture and Rural Affairs to authorize or prohibit the harvesting of bivalve molluscs, echinoderms, tunicates and marine gastropods from certain zones;

Whereas the Ministry of Agriculture and Rural Affairs and its laboratories are capable of effectively verifying the application of the laws in force in Turkey;

Whereas the competent Turkish authorities have undertaken to communicate regularly and quickly to the Commission data on the presence of plankton containing toxins in the harvesting areas;

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

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

Whereas the procedure for obtaining a health certificate referred to in Article 9 (3) (b) (i) of Directive 91/492/EEC must include the definition of a model certificate, the language(s) in which it must be drawn up, the qualifications of the signatory and the health mark to be affixed to packaging;

Whereas, accordance with Article 9 (3) (b) (ii) of Directive 91/492/EEC, the production areas from which bivalve molluscs, echinoderms, tunicates and marine gastropods may be harvested and exported to the Community must be designated;

Whereas, in accordance with Article 9 (3) (c) of Directive 91/492/EEC, a list of the establishments from which the import of bivalve molluscs, echinoderms, tunicates and marine gastropods is authorized should be established; whereas such establishments may appear on the list only if they are officially approved by the competent Turkish authorities; whereas it is the duty of the competent Turkish authorities to ensure that the provisions laid down to this end in Article 9 (3) (c) of Directive 91/492/EEC are complied with;

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 1.

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

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

HAS ADOPTED THIS DECISION:

Article 1

The General Directorate of Protection and Control, of the Ministry of Agriculture and Rural Affairs shall be the competent authority in Turkey for verifying and certifying that live bivalve molluscs, echinoderms, tunicates and marine gastropods fulfil the requirements of Directive 91/492/EEC.

Article 2

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

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

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

Article 3

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

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 1.

ANNEX A

HEALTH CERTIFICATE

covering live

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

originating in Turkey and intended for human consumption in the European Community

Reference No :

Country of dispatch : Turkey

Competent authority : *Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control*

I. Details identifying the products

- Species (scientific name) :
- Code No (where available) :
- Type of packaging :
- Number of packages :
- Net weight :
- Analysis report number (where available) :

II. Origin of products

- Authorized production area :
- Name and official approval number of dispatch centre :
-

III. Destination of products

The products are dispatched

from :
(place of dispatch)

to :
(country and place of destination)

by the following means of transport :

Name and address of consignor :

.....
.....

Name of consignee and address at place of destination :

.....
.....

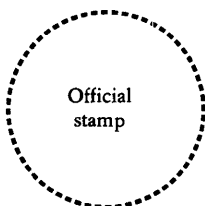
⁽¹⁾ Delete where inapplicable.

IV. Health attestation

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

- 1) were harvested, where necessary relayed, and transported in accordance with the health rules laid down in Chapters I, II and III of the Annex to Directive 91/492/EEC ;
- 2) were handled, where necessary purified, and packaged in accordance with the health rules laid down in Chapter IV of the Annex to Directive 91/492/EEC ;
- 3) have undergone controls in accordance with Chapter V of the Annex to Directive 91/492/EEC ;
- 4) are in compliance with Chapters V, VII, VIII, IX and X of the Annex to Directive 91/492/EEC and therefore fit for immediate human consumption.

Done at , on
(place) (date)



.....
signature of official inspector
(name in capitals, capacity and qualifications of person
signing)

*ANNEX B***PRODUCTION AREAS FULFILLING THE REQUIREMENTS LAID DOWN IN
CHAPTER I (1) (a) OF THE ANNEX TO DIRECTIVE 91/492/EEC**

Geographical boundaries	Code number
Karaburun	I
Bosphorus	II
Northern Marmara Sea	III
Dardanelles	IV
Saroz	V
Ayvalik	VI

*ANNEX C***LIST OF ESTABLISHMENTS APPROVED FOR EXPORT TO THE EUROPEAN
COMMUNITY**

Name and address	Approval number and expiry date
Marsan — Eceabat	110 — 31. 12. 1995
Dardanel Onentas — Çanakkale	181 — 31. 12. 1995
Yavuz Mildon — Gelibolu	183 — 31. 12. 1995
Real — Ayvalik	203 — 31. 12. 1995
Artur I — Ayvalik	205 — 31. 12. 1995
Tuna — Istanbul	206 — 31. 12. 1995
Kerevitas Mersu Ancoker — Bursa	301 — 31. 12. 1995

COMMISSION DECISION**of 30 November 1994****laying down special conditions for the import of frozen of processed bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Turkey****(Text with EEA relevance)****(94/778/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Article 11 thereof,

Whereas a group of Commission experts has conducted an inspection visit to Turkey to verify the conditions under which frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods are produced and placed on the market;

Whereas Turkish legislation makes the Ministry of Agriculture and Rural Affairs responsible for inspecting the health of bivalve molluscs, echinoderms, tunicates and marine gastropods and monitoring the hygiene and sanitary conditions of production; whereas the same legislation empowers the Ministry of Agriculture and Rural Affairs to authorize or prohibit the harvesting of bivalve molluscs, echinoderms, tunicates and marine gastropods from certain zones;

Whereas the Ministry of Agriculture and Rural Affairs and its laboratories are capable of effectively verifying the application of the laws in force in Turkey;

Whereas the competent Turkish authorities have undertaken to communicate regularly and quickly to the Commission data on the presence of plankton containing toxins in the harvesting areas;

Whereas the procedure for obtaining a health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must include the definition of a model certificate, the language(s) in which it must be drawn up, the qualifications of the signatory and the health mark to be affixed to packaging;

Whereas, in accordance with Article 9 (3) (b) (ii) of Directive 91/492/EEC⁽²⁾, the Commission Decision 94/777/EC⁽³⁾ has designated the production areas from which bivalve molluscs, echinoderms, tunicates and marine gastropods may be harvested, frozen or processed and exported to the Community;

Whereas, in accordance with Article 11 (4) (c) of Directive 91/493/EEC a list of the establishments from which the import of frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods is authorized should be established; whereas such establishments may appear on the list only if they are officially approved by the competent Turkish authorities; whereas it is the duty of the competent Turkish authorities to ensure that the provisions laid down to this end in Article 11 (4) (c) of Directive 91/493/EEC are complied with;

Whereas the special import conditions apply without prejudice to decisions taken pursuant to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products⁽⁴⁾;

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

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 1.

⁽³⁾ See page 35 of this Official Journal.

⁽⁴⁾ OJ No L 46, 19. 2. 1991, p. 1.

HAS ADOPTED THIS DECISION :

Article 1

The General Directorate of Protection and Control, of the Ministry of Agriculture and Rural Affairs shall be the competent authority in Turkey for verifying and certifying that frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods fulfil the requirements of Directive 91/493/EEC.

Article 2

Frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Turkey and intended for human consumption must meet the following conditions :

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto ;
2. they must originate in the authorized production areas listed in Annex B to Commission Decision 94/777/EC ;
3. they must be prepared, frozen or processed, and packed by an approved establishment included in the list in Annex B hereto ;

4. each package must bear an indelible health mark containing at least the following information :

- country of dispatch : Turkey,
- the species (common and scientific names),
- the identification of the establishment of origin by the approval number.

Article 3

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

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

covering frozen or processed

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

originating in Turkey and intended for human consumption in the European Community

Reference No :

Country of dispatch : Turkey

Competent authority : *Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control*

I. Details identifying the products

- Species (scientific name) :
- Presentation of product and type of treatment ⁽²⁾ :
- Code No (where available) :
- Type of packaging :
- Number of packages :
- Net weight :
- Analysis report number (where available) :
- Requisite storage and transport temperature :

II. Origin of products

- Authorized production area :
- Name and official approval number of establishment :
-

III. Destination of products

The products are dispatched

from :
(place of dispatch)

to :
(country and place of destination)

by the following means of transport :

Name and address of consignor :

.....
.....

Name of consignee and address at place of destination :

.....
.....

⁽¹⁾ Delete where inapplicable.

⁽²⁾ Refrigerated, frozen, preserved, etc.

Name and address	Approval number and expiry date
Marsan — Eceabat	110 — 31. 12. 1995
Ulubay — Lapseki	129 — 31. 12. 1995
Mim-Tur — Sarıyer	140 — 31. 12. 1995
Dardanel Onentas — Çanakkale	181 — 31. 12. 1995
Kerevitas Mersu Ancoker — Bursa	301 — 31. 12. 1995
Ada — Ayvalık	318 — 31. 12. 1995