

English edition

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 315/93
of 8 February 1993
laying down Community procedures for contaminants in food

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

In cooperation with the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas it is important to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992; whereas the internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas the differences in rules adopted by the Member States may hinder the functioning of the common market and whereas it is necessary to lay down a procedure for the adoption of harmonized Community rules;

Whereas contaminants may enter into food at any stage from production to consumption;

Whereas it is essential, in the interest of public health protection, to keep these contaminants at levels which are toxicologically acceptable;

Whereas further elimination must be carried out whenever it is achievable through good working practices; whereas compliance with such good practices can be efficiently monitored by public authorities, given the vocational training and experience of their agents;

Whereas this Regulation must apply without prejudice to the provisions adopted in the context of more specific Community rules;

Whereas it is appropriate in terms of health protection to encourage the search for a comprehensive approach to the question of contaminants in food;

Whereas the Scientific Committee for Food set up by Decision 74/234/EEC ⁽⁴⁾ must be consulted on all questions which may have an effect on public health,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation concerns contaminants contained in food.

'Contaminant' means any substance not intentionally added to food which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food, or as a result of environmental contamination. Extraneous matter, such as, for example, insect fragments, animal hair, etc, is not covered by this definition.

2. This Regulation shall not apply to contaminants which are the subject of more specific Community rules.

Upon the entry into force of this Regulation, the Commission shall publish in the C series of the *Official Journal of the European Communities*, for the purposes of information, a list of the rules referred to in the first subparagraph. That list shall be updated, as appropriate, by the Commission.

3. Provisions relating to contaminants shall be adopted in accordance with this Regulation, except those laid down by the rules referred to in paragraph 2.

⁽¹⁾ OJ No C 57, 4. 3. 1992, p. 11.

⁽²⁾ OJ No C 129, 20. 5. 1991, p. 104 and Decision of 20 January 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No C 223, 31. 8. 1992, p. 24.

⁽⁴⁾ OJ No L 136, 20. 5. 1974, p. 1.

Article 2

1. Food containing a contaminant in an amount which is unacceptable from the public health viewpoint and in particular at a toxicological level shall not be placed on the market.

2. Furthermore, contaminant levels shall be kept as low as can reasonably be achieved by following good practices at all the stages referred to in Article 1.

3. In order to protect public health and pursuant to paragraph 1, where necessary, maximum tolerances for specific contaminants shall be established in accordance with the procedure laid down in Article 8.

These tolerances shall be adopted in the form of a non-exhaustive Community list and may include:

- limits for the same contaminant in different foods;
- analytical detection limits;
- a reference to the sampling and analysis methods to be used.

Article 3

Provisions which may have an effect upon public health shall be adopted after consultation of the Scientific Committee for Food.

Article 4

1. Where a Member State, as a result of new information or of a reassessment of existing information, has reason to suspect that a contaminant in food, although complying with this Regulation or specific Regulations adopted pursuant to this Regulation, constitutes a health risk, it may temporarily suspend or restrict application of the provisions in question in its territory. It shall immediately inform the other Member States and the Commission thereof and give reasons for its decision.

2. The Commission shall examine the reasons given by the Member State referred to in paragraph 1 as soon as possible in the Standing Committee for Foodstuffs, set up by Decision 69/314/EEC⁽¹⁾ and shall deliver its opinion immediately and take any necessary measures in accordance with the procedure laid down in Article 8.

Article 5

1. Member States may not prohibit, restrict, or impede the placing on the market of foods which comply with this Regulation or specific provisions adopted pursuant to this Regulation for reasons relating to their contaminant levels.

2. Where Community provisions concerning the maximum tolerances referred to in Article 2 (3) have not been adopted, the relevant national provisions shall be applicable subject to compliance with the provisions of the Treaty.

3. (a) When a Member State maintains the provisions of its domestic laws, it shall inform the Commission and the other Member States thereof within a period of six months after the adoption of this Regulation.

(b) Should a Member State deem it necessary to adopt new legislation, it shall communicate to the Commission and the other Member States the measures envisaged and give the reasons justifying them. The Commission shall consult the Member States within the Standing Committee on Foodstuffs if it considers such consultation to be useful or if a Member State so requests.

Member States may take such envisaged measures only three months after such communication and provided that the Commission's opinion is not negative.

In the latter event, before the expiry of the period referred to in the second paragraph, the Commission shall initiate the procedure provided for in Article 8 in order to determine whether the envisaged measures may be implemented subject, if necessary, to the appropriate amendments.

Article 6

Each year the Commission shall submit to the Standing Committee on Foodstuffs a report on the overall development of Community legislation on contaminants.

Article 7

Four years after this Regulation comes into force, the Commission shall forward to the Council a report on the experience gained accompanied, should the need arise, by any appropriate proposal.

Article 8

The Commission shall be assisted by the Standing Committee for Foodstuffs, hereinafter referred to as 'the Committee'.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

⁽¹⁾ OJ No L 291, 19. 11. 1969, p. 9.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referred to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

Article 9

This Regulation shall enter into force on 1 March 1993.

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

Done at Brussels, 8 February 1993.

For the Council

The President

J. TRØJBORG

COUNCIL REGULATION (EEC) No 316/93

of 8 February 1993

establishing Community statistical surveillance for certain agricultural products originating in Cyprus, Egypt, Jordan, Israel, Tunisia, Syria, Malta, Morocco and Lebanon which are subject to reference quantities (1993)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113,

Having regard to the proposal from the Commission,

Whereas the Additional Protocols to the Cooperation Agreements between the European Economic Community, of the one part, and Cyprus ⁽¹⁾, Egypt ⁽²⁾, Jordan ⁽³⁾, Israel ⁽⁴⁾, Tunisia ⁽⁵⁾, Syria ⁽⁶⁾, Malta ⁽⁷⁾, Morocco ⁽⁸⁾ and Lebanon ⁽⁹⁾, of the other, have been concluded; whereas these Protocols provide for the progressive reduction, subject to reference quantities and to a Community surveillance within a set timetable, of the customs duties applicable to certain agricultural products originating in those countries and covered by the respective Agreements;

Whereas Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries ⁽¹⁰⁾ determined the surveillance procedure in question;

Whereas, by Council Regulation (EEC) No 1764/92 of 29 June 1992 amending the arrangements for the import into the Community of certain agricultural products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria and Tunisia ⁽¹¹⁾, the Community unilaterally increased the amount of these reference quantities in equal steps of 3 % or 5 % per year starting on 1 January 1992 and whereas for 1993 they have thus reached the levels shown in the Annex;

Whereas, in order to enable the competent departments of the Commission to establish an annual trade balance sheet for each of the products concerned and, if necessary,

to put into application the arrangement provided for in Article 3 (1) of Regulation (EEC) No 451/89, these products are subject to a statistical surveillance;

Whereas imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation; whereas, therefore, it is appropriate to establish, in 1993, reference quantities for the products listed in the Annex,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community in 1993 of certain products originating in Cyprus, Egypt, Jordan, Israel, Tunisia, Syria, Malta, Morocco and Lebanon shall be subject to reference quantities within the established timetables and to a statistical surveillance.

The description of the products referred to in the first subparagraph, their serial numbers, their CN codes, Taric codes and the quantities and timetable applying to the reference quantities are given in the table in the Annex.

2. Amounts shall be charged by Member States against the reference quantities as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate conforming to the rules laid down in the Protocol concerning the definition of the concept of originating products annexed to each Cooperation Agreement between the European Economic Community of the one part and the countries referred to in the first subparagraph of paragraph 1 of the other.

Where the movement certificate is produced at a later date, the amount shall be charged against the corresponding reference quantity at the date of acceptance of the declaration of release for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 297, 21. 10. 1987, p. 11.

⁽³⁾ OJ No L 297, 21. 10. 1987, p. 19.

⁽⁴⁾ OJ No L 327, 30. 11. 1988, p. 36.

⁽⁵⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽⁶⁾ OJ No L 327, 30. 11. 1988, p. 58.

⁽⁷⁾ OJ No L 81, 23. 3. 1989, p. 1.

⁽⁸⁾ OJ No L 224, 13. 8. 1988, p. 18.

⁽⁹⁾ OJ No L 297, 21. 10. 1987, p. 28.

⁽¹⁰⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽¹¹⁾ OJ No L 181, 1. 7. 1992, p. 9.

in the first subparagraph, as communicated to the Statistical Office of the European Communities pursuant to Regulations (EEC) No 2658/87 ⁽¹⁾ and (EEC) No 1736/75 ⁽²⁾.

Article 2

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 3

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

It shall be applicable from 1 January 1993.

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

Done at Brussels, 8 February 1993.

For the Council

The President

J. TRØJBORG

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1. Regulation as last amended by Commission Regulation (EEC) No 1039/92 (OJ No L 110, 28. 4. 1992, p. 42), as corrected by Commission Regulation (EEC) No 1590/92 (OJ No L 168, 23. 6. 1992, p. 17).

⁽²⁾ OJ No L 183, 14. 7. 1975, p. 3. Regulation last amended by Regulation (EEC) No 1629/88 (OJ No L 147, 14. 6. 1988, p. 1).

ANNEX

Serial No	CN code	Taric code	Description	Timetable	Origin	Reference quantity (in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
18.0010	ex 0701 90 51	0701 90 51*10 0701 90 51*20	New potatoes	1. 1.-31. 3.	Tunisia	2 756
18.0015	0701 90 51 ex 0701 90 59 } }	0701 90 59*10	New potatoes	1. 1.-15. 5. 16. 5.-31. 5.	Malta	3 180
18.0030	ex 0703 20 00	0703 20 00*10 0703 20 00*20 0703 20 00*30	Garlic	1. 2.-31. 5.	Egypt	1 760
18.0040	ex 0707 00 11	0707 00 11*12	Cucumbers of a length not exceeding 15 cm	1. 1.-28. 2. 1. 1.-28. 2. 1. 1.-28. 2.	Egypt Jordan Malta	110 110 55
18.0050	ex 0709 10 00	0709 10 00*10 0709 10 00*20	Artichokes	1. 10.-31. 12. 1. 10.-31. 12.	Egypt Cyprus	110 110
18.0060	ex 0709 30 00	0709 30 00*20 0709 30 00*30	Aubergines (egg-plants)	15. 1.-30. 4.	Israel	1 320
18.0070	0709 60 10		Sweet peppers	1. 1.-31. 12.	Morocco	1 100
18.0080	0712 20 00		Onions, dried	1. 1.-31. 12.	Syria	770
18.0090	ex 0712 90 90	0712 90 90*20	Garlic, dried	1. 1.-31. 12.	Egypt	1 100
18.0100	0713 10 11 0713 10 19		Peas, for sowing	1. 1.-31. 12.	Morocco	440
18.0110	0713 10 90 0713 20 90 0713 31 90 0713 32 90 0713 33 90 0713 39 90 0713 40 90 0713 50 90 0713 90 90		Dried leguminous vegetables	1. 1.-31. 12.	Lebanon	2 420
18.0120	0804 40 10 0804 40 90 } }		Avocados	1. 1.-31. 12.	Israel	34 100
18.0130	ex 0806 10 15	0806 10 15*50 0806 10 15*60 0806 10 15*70 0806 10 15*80 0806 10 15*91	Fresh table grapes	1. 2.-30. 6.	Israel	2 090
18.0140	ex 0807 10 90	0807 10 90*13 0807 10 90*33	Melons of a weight not exceeding 600 grams	1. 1.-31. 3. 1. 1.-31. 3.	Egypt Jordan	110 110
18.0150	ex 0810 90 10	0810 90 10*10	Kiwifruit (<i>Actinidia Chinensis Planch.</i>)	1. 1.-30. 4. 1. 1.-30. 4. 1. 1.-30. 4.	Israel Cyprus Morocco	220 220 220
18.0160	ex 0812 90 90	0812 90 90*11 0812 90 90*20	Citrus fruit comminuted	1. 1.-31. 12.	Israel	1 210
18.0190	2008 30 51 2008 30 71		Grapefruit segments	1. 1.-31. 12.	Israel	15 070

Serial No	CN code	Taric code	Description	Timetable	Origin	Reference quantity (in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
18.0200	2008 50 61 2008 50 69		Apricots	1. 1.-31.12.	Morocco	6 930
18.0210	ex 2008 30 79	2008 30 79*10 2008 30 79*20	Grapefruit Oranges and lemons comminuted	1. 1.-31.12.	Israel	2 200
18.0220	ex 2008 30 91	2008 30 91*11 2008 30 91*12 2008 30 91*13 2008 30 91*19 2008 30 91*91 2008 30 91*92	Grapefruit segments Grapefruit Pulp of citrus fruit Citrus fruit comminuted	1. 1.-31.12.	Israel	3 190
18.0230	ex 2008 50 99 ex 2008 70 99	2008 50 99*10 2008 70 99*10	Apricots and peaches in halves (including nectarine halves)	1. 1.31.12.	Morocco	6 600
18.0240	2009 20 11 2009 20 19 2009 20 99		Grapefruit juice	1. 1.-31.12.	Israel	31 570
18.0245	2009 20 99		Grapefruit juice	1. 1.-31.12.	Morocco	880

COUNCIL REGULATION (EEC) No 317/93

of 9 February 1993

amending Regulation (EEC) No 1906/90 on certain marketing standards for poultrymeat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, and in particular Article 2 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1906/90⁽²⁾ lays down certain marketing standards for poultrymeat;

Whereas the definitions of poultrymeat contained in Regulation (EEC) No 1906/90 should be amended so as to exclude all types of poultrymeat preparations;

Whereas, in order to take due account of the conditions for poultrymeat marketing at retail trade level, Member States should be permitted to lay down specific temperature requirements for the cutting and storage of fresh poultrymeat in the retail trade,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1906/90 is hereby amended as follows:

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

Done at Brussels, 9 February 1993.

1. "poultrymeat" means: poultrymeat suitable for human consumption, which has not undergone any treatment other than cold treatment;

2. Article 2, point 5, shall be replaced by the following:

5. "fresh poultrymeat" means: poultrymeat not stiffened by the cooling process, which is to be kept at a temperature not below -2°C and not higher than 4°C at any time; however, Member States may fix different temperature requirements for the cutting and storage of fresh poultrymeat performed in retail shops or in premises adjacent to sales points, where the cutting and storage are performed solely for the purpose of supplying the consumer directly on the spot;*Article 2*This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Communities*.

However, the provisions of Article 1, point 1, shall enter into force on 1 January 1994.

*For the Council**The President*

B. WESTH

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77. Regulation as last amended by Regulation (EEC) No 1235/89 (OJ No L 128, 11. 5. 1989, p. 29).

⁽²⁾ OJ No L 173, 6. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 318/93**of 12 February 1993****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 13 (5) 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⁾, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 3873/92⁽⁴⁾ 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 11 February 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3873/92 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 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 February 1993.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 118.

ANNEX

to the Commission Regulation of 12 February 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries (*)
0709 90 60	134,62 (*) (*)
0712 90 19	134,62 (*) (*)
1001 10 00	174,07 (*) (*) (*) (*)
1001 90 91	136,97
1001 90 99	136,97 (*)
1002 00 00	148,29 (*)
1003 00 10	124,19
1003 00 20	124,19
1003 00 80	124,19 (*)
1004 00 00	113,38
1005 10 90	134,62 (*) (*)
1005 90 00	134,62 (*) (*)
1007 00 90	135,79 (*)
1008 10 00	44,76 (*)
1008 20 00	77,25 (*)
1008 30 00	34,74 (*)
1008 90 10	(?)
1008 90 90	34,74
1101 00 00	205,30 (*) (*) (*)
1102 10 00	220,33 (*)
1103 11 30	282,78 (*) (*) (*) (*)
1103 11 50	282,78 (*) (*) (*) (*)
1103 11 90	220,57 (*)

- (*) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (*) 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.
- (*) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (*) 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.
- (*) 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.
- (*) 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).
- (*) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).
- (*) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
- (*) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.
- (*) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 (OJ No L 166, 26. 6. 1991, p. 42) is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.
- (*) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 319/93**of 12 February 1993****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92 ⁽⁴⁾ 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 11

February 1993, as regards floating currencies, should be used to calculate the levies;

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

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 February 1993.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 12 February 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period
	2	3	4	5
0709 90 60	0	0,63	0,63	1,01
0712 90 19	0	0,63	0,63	1,01
1001 10 00	0	0	0	0
1001 90 91	0	1,40	1,40	0
1001 90 99	0	1,40	1,40	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0,63	0,63	1,01
1005 90 00	0	0,63	0,63	1,01
1007 00 90	0	0	0	6,25
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	5,31
1008 90 90	0	0	0	5,31
1101 00 00	0	1,96	1,96	0

B. Malt

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period	4th period
	2	3	4	5	6
1107 10 11	0	2,49	2,49	0	0
1107 10 19	0	1,86	1,86	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 320/93
of 12 February 1993
on the supply of milk products as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 recipients 2 121 tonnes of milk powder and 150 tonnes of butterail;

Whereas it is necessary to provide for the carrying-out of this measure 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, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submissions of tenders; whereas, in order to avoid re-publication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 12 February 1993.

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. **Operations Nos** ⁽¹⁾: 1390/92 (A1), 1391/92 (A2)
2. **Programme**: 1992
3. **Recipient** ⁽²⁾: World Food Programme, via Cristoforo Colombo 426, I-00145 Roma, telex: 626675 I WFP
4. **Representative of the recipient**:
see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Tanzania (A1) and Pakistan (A2)
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under I.E.1.) and OJ No C 182, 13. 7. 1991, p. 24
8. **Total quantity**: 150 tonnes
9. **Number of lots**: 1 in 2 parts (see Annex II)
10. **Packaging and marking** ⁽³⁾:
OJ No C 114, 29. 4. 1991, p. 1 (under I.E.2.1 and I.E.3)
A1: metal drums (in 20-foot containers - FCL/FCL) ⁽⁶⁾
A2: 5 litre metal cans (without cardboard cross-pieces)
Markings in English
Supplementary markings: see Annex II
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 3 — 11. 4. 1993
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 1. 3. 1993
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 15. 3. 1993
 - (b) period for making the goods available at the port of shipment: 5. — 25. 4. 1993
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1993
 - (b) period for making the goods available at the port of shipment: 19. 4 — 9. 5. 1993
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the 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 or 25670 AGREC B)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: Refund applicable 11. 2. 1993, fixed by Commission Regulation (EEC) No 158/93 (OJ No L 21, 29. 1. 1993, p. 22)

LOT B

1. **Operation No⁽¹⁾**: 1387/92, 1388/92 and 1389/92
2. **Programme**: 1992
3. **Recipient⁽²⁾**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma (telex 626675 i wfp)
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Cuba (B1), Uganda (B2), Tanzania (B3)
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods⁽³⁾⁽⁴⁾**: see OJ No C 114, 29. 4. 1991, p. 1, I. A. 1.
8. **Total quantity**: 563 tonnes
9. **Number of lots**: 1 (see Annex II)
10. **Packaging and marking**:
see OJ No C 114, 29. 4. 1991, p. 1 (I. A. 2. 3. and I. A. 3.) B2-B3: in 20-foot containers (FCL/FCL)
Markings in English (B2-B3) and Spanish (B1)
Supplementary markings:
See Annex II
11. **Method of mobilization of product**: Community market
The skimmed-milk powder must be manufactured after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 3 — 11. 4. 1993
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 1. 3. 1993
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 15. 3. 1993
 - (b) period for making the goods available at the port of shipment: 5 — 25. 4. 1993
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1993
 - (b) period for making the goods available at the port of shipment: 19. 4 — 9. 5. 1993
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; (telex 22037 / 25670 AGREC B; telefax: (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer⁽⁶⁾**: refund applicable on 11. 2. 1993, fixed by Commission Regulation (EEC) No 158/93 (OJ No L 21, 29. 1. 1993, p. 22)

LOTS C, D

1. **Operation Nos** ⁽¹⁾: 1380/92 to 1383/92
2. **Programme** : 1992
3. **Recipient** ⁽²⁾: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma (telex 626675 i wfp)
4. **Representative of the recipient** : see OJ No C 103, 16. 4. 1987
5. **Place or country of destination** : Mauritania (C1), Botswana (C2), Burundi (C3), Bolivia (lot D)
6. **Product to be mobilized** : vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: (see OJ No C 114, 29. 4. 1991, p. 1, I. B. 1.)
8. **Total quantity** : 966 tonnes
9. **Number of lots** : 2 (see Annex II)
10. **Packaging and marking** : see OJ No C 114, 29. 4. 1991, p. 1 (I. A. 2. 3, I. B. 2. and I. B. 3.) C3 : in 20-foot containers
Markings in English (2), French (C1, C3), Spanish (D)
Supplementary markings : see Annex II
11. **Method of mobilization of product** : Community market
The vitaminized skimmed-milk powder must be manufactured after the award of the tender
12. **Stage of supply** : free at port of shipment
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : —
16. **Address of the warehouse and, if appropriate, port of landing** : —
17. **Period for making the goods available at the port of shipment** : 22. 3. — 11. 4. 1993
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 1. 3. 1993
21. **A. In the case of a second invitation to tender** :
 - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 15. 3. 1993
 - (b) period for making the goods available at the port of shipment : 5. — 25. 4. 1993
 - (c) deadline for the supply : —**B. In the case of a third invitation to tender** :
 - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 29. 3. 1993
 - (b) period for making the goods available at the port of shipment : 19. 4. — 9. 5. 1993
 - (c) deadline for the supply : —
22. **Amount of the tendering security** : ECU 20 per tonne
23. **Amount of the 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 Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles ; (telex 22037 / 25670 AGREC B ; telefax : (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: refund applicable on 11. 2. 1993, fixed by Commission Regulation (EEC) No 158/93 (OJ No L 21, 29. 1. 1993, p. 22)

LOT E

1. **Operation No** (1): 1140/92
2. **Programme**: 1992
3. **Recipient** (2): UNRWA — Supply Division — Vienna International Centre, PO Box 700, A-1400 Vienna, Austria telex: 135310 A — fax (1) 230 75 29
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149 Jerusalem, Israel; (tel. (972-3) 82 80 93; telefax 81 65 64; telex (0606) 26194 IL UNRWA)
5. **Place or country of destination** (3): Israel
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4): (See OJ No C 114, 29. 4. 1991, p. 1, I.B.1)
8. **Total quantity**: 592 tonnes
9. **Number of lots**: 1
10. **Packaging and marking** (5): 1 kg sachets
See OJ No C 114, 29. 4. 1991, p. 1. (I.B.2, I.B.3 and IA.2.1)
Markings in English
Supplementary markings: 'UNRWA'
11. **Method of mobilization**: Community market
The skimmed-milk powder must be manufactured and the vitamins added after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Ashdod
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 12 — 25. 4. 1993
18. **Deadline for the supply**: 17. 5. 1993
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 15. 3. 1993
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1993
 - (b) period for making the goods available at the port of shipment in case of award of tender at port of shipment stage: 26. 4 — 9. 5. 1993
 - (c) deadline for the supply: 31. 5. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 13. 4. 1993
 - (b) period for making the goods available at the port of shipment in case of award of tender at port of shipment stage: 10 — 23. 5. 1993
 - (c) deadline for the supply: 14. 6. 1993
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** (6): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; telefax: (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on application by the successful tenderer** (7): Refund applicable 11. 2. 1993, fixed by Commission Regulation (EEC) No 158/93 (OJ No L 21, 29. 1. 1993, p. 22)

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 and, where appropriate, the accession compensatory amounts. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The agricultural exchange rate can be fixed in advance, in application of Articles 8 to 12 of Commission Regulation (EEC) No 3819/92 (OJ No L 387 31. 12. 1992, p. 17).

- (5) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33 (lot D : see Venezuela).

- (6) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :

- health certificate,
- certificate of origin.
- Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animal, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- A2 : a certificate in English stating that the butteroil does not contain any pork fat (lard).

- (7) Consignment to be stowed in 20-foot containers not more than 17 tonnes each, net, nor more than 50 containers being shipped per week on any vessel.

The contracted shipping terms shall be considered full liner terms (liner in / liner out) free Ashdod / container yard and are understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 days free of container detention charges 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 borne 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.

- (8) Notwithstanding OJ No C 114, 29. 4. 1991 : 190 to 200 litre/kilo metal casks.

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción nº	Inscripciones complementarias
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Yderligere påskrifter
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Ergänzende Aufschriften
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Dràash ariu.	Συμπληρωματικές ενδείξεις
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Supplementary markings
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action nº	Marquage complémentaire
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Iscrizioni supplementari
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Bijkomende vermeldingen
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção nº	Inscrições complementares
A	150	A1 : 100	1390/92	WFP / 0224702 / Dar-es-Salaam
		A2 : 50	1391/92	WFP / 0400300 / Karachi
B	563	B1 : 267	1387/92	PAM / 0439100 / Havana
		B2 : 180	1388/92	WFP / 0332500 / Kampala via Mombasa
		B3 : 116	1389/92	WFP / 0224702 / Dar-es-Salaam
C	586	C1 : 176	1380/92	PAM / 0005506 / Nouakchott
		C2 : 250	1381/92	WFP / 0032404 / Lobatsi via Durban
		C3 : 160	1383/92	PAM / 0304701 / Bujumbura via Dar-es-Salaam
D	380		1382/92	PAM / 0273501 / Bolivia via Arica

COMMISSION REGULATION (EEC) No 321/93

of 12 February 1993

fixing a coefficient applicable to cereals exported in the form of Spanish whisky
for the period 1992/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 16 (6) thereof,Having regard to Council Regulation (EEC) No 1188/81 of 28 April 1981 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds and amending Regulation (EEC) No 3035/80 concerning certain products not covered by Annex II to the Treaty⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, and in particular Article 12 thereof,

Whereas Article 3 (1) of Regulation (EEC) No 1188/81 states that the quantity of cereals on which the refund shall be granted shall be that placed under control, weighted by a coefficient fixed annually for each Member State concerned, expressing the ratio between the total quantity exported and the total quantity marketed of the spirituous beverage in question; whereas, the relevant information having been received from Spain for the period 1 January to 31 December 1991 the coefficients for the period 1 July 1992 to 30 June 1993 should now be fixed;

Whereas the second indent of Article 3 (2) of Regulation (EEC) No 1188/81 provides for adjustment of the coeffi-

cient where foreseeable export trends in one of the Member States concerned show a tendency to change significantly; the data provided by Spain are not sufficiently comprehensive to allow a totally clear trend to be identified; whereas, consequently, no account will be taken of the pattern of exports or of the quantity of the goods marketed in determining the coefficient;

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

For the period 1 July 1992 to 30 June 1993 the coefficient referred to in Article 3 of Regulation (EEC) No 1188/81, applicable to cereals used in Spain for the manufacture of Spanish whisky, shall be as shown 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 July 1992.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

*ANNEX***Coefficient applicable in Spain**

Period of application	Coefficient applicable to cereals used for the manufacture of Spanish whisky
1 July 1992 — 30 June 1993	0,0128

COMMISSION REGULATION (EEC) No 322/93

of 12 February 1993

fixing for the period 1992/93 certain coefficients applicable to cereals exported in the form of certain spirituous beverages

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1188/81 of 28 April 1981 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds and amending Regulation (EEC) No 3035/80 concerning certain products not covered by Annex II to the Treaty ⁽³⁾, as last amended by Regulation (EEC) No 3381/93 ⁽⁴⁾, and in particular Article 12 thereof,

Whereas Article 3 (1) of Regulation (EEC) No 1188/81 states that the quantity of cereals on which the refund shall be granted shall be that placed under control weighted by a coefficient, fixed annually for each Member State concerned, expressing the ratio for the spirituous beverage in question between the total quantity exported and the total quantity marketed; whereas, further to information provided by Ireland concerning the period 1 January to 31 December 1991, the coefficients for the period 1 July 1992 to 30 June 1993 should now be fixed;

Whereas the second indent of Article 3 (2) of Regulation (EEC) No 1188/81 provides for adjustment of the coefficient where foreseeable trends for exports of spirituous beverages show a tendency to change significantly in one of the Member States concerned; whereas such an assessment may be made by taking account of a reference

period of sufficient length to eliminate insignificant short-term fluctuations; whereas a period of seven years prior to the year in question seems to comply with this criterion; whereas, moreover, an annual difference of less than 1 % between the respective trends in exports and total quantities sold cannot show a tendency towards significant change;

Whereas the coefficients should be adapted accordingly, to take account of a tendency for Irish exports to decrease;

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

For the period 1 July 1992 to 30 June 1993, the coefficients referred to in Article 3 of Regulation (EEC) No 1188/81 and applicable to cereals used in Ireland for the manufacture of Irish whiskey shall be as shown in the Annex.

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 July 1992.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.

⁽⁴⁾ OJ No L 363, 27. 11. 1990, p. 4.

*ANNEX***Coefficients applicable in Ireland**

Period of application	Coefficient applicable	
	to barley used for the manufacture of Irish whiskey, category B (*)	to cereals used for the manufacture of Irish whiskey, category A
1 July 1992 to 30 June 1993	0,243	0,185

(*) Including barley processed into malt.

COMMISSION REGULATION (EEC) No 323/93

of 12 February 1993

authorizing certain Member States to derogate from the minimum fat content of drinking milk

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

Having regard to Council Regulation (EEC) No 1411/71 of 29 June 1971 laying down additional rules on the common market organization in milk and milk products for drinking milk ⁽¹⁾, as last amended by Regulation (EEC) No 2138/92 ⁽²⁾, and in particular Article 6 (3) thereof,

Whereas Regulation (EEC) No 1411/71 lays down a minimum fat content of 3,50 % for whole milk intended to be delivered to consumers; whereas pursuant to Article 6 (3) of that Regulation, derogations may, however, be granted for areas in which the natural fat content of the milk produced does not reach 3,50 %; whereas Italy and Ireland have requested that this provision be applied to all their regions; whereas, in view of the supporting evidence submitted by these Member States, they should be granted this derogation of their traditional whole milk formula; whereas application of this measure should be monitored closely, so as to permit better assessment of whether it is advisable to extend it after an initial period of six months;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Milk produced in Ireland whose natural fat content does not reach 3,50 % may be sold as non-standardized

whole milk the meaning of Article 3 of Regulation (EEC) No 1411/71.

Milk produced in Italy whose natural fat content does not reach 3,50 % may be sold as standardized whole milk within the meaning of Article 3 of Regulation (EEC) No 1411/71.

2. The Member States referred to in paragraph 1 shall ensure that the milk subject to this derogation is not subjected to any skimming.

They shall inform the Commission of the measures taken for this purpose and of the quantities of whole milk sold whose fat content does not reach 3,50 %.

Article 2

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

It shall apply from 1 January 1993 to 30 June 1993.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 3. 7. 1971, p. 4.

⁽²⁾ OJ No L 214, 30. 7. 1992, p. 6.

COMMISSION REGULATION (EEC) No 324/93

of 12 February 1993

fixing for the period 1992/93 certain coefficients applicable to cereals exported in the form of certain spirituous beverages

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 16 (6) thereof,Having regard to Council Regulation (EEC) No 1188/81 of 28 April 1981 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds and amending Regulation (EEC) No 3035/80 concerning certain products not covered by Annex II to the Treaty⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, and in particular Article 12 thereof,

Whereas Article 3 (1) of Regulation (EEC) No 1188/81 states that the quantity of cereals on which the refund shall be granted shall be that placed under control, weighted by a coefficient fixed annually for each Member State concerned, expressing the ratio between the total quantity exported and the total quantity marketed of the spirituous beverage in question; whereas, the relevant information having been received from the United Kingdom for the period 1 January to 31 December 1991, the coefficients for the period 1 July 1992 to 30 June 1993 should now be fixed;

Whereas the second indent of Article 3 (2) of Regulation (EEC) No 1188/81 provides for adjustment of the coefficient where foreseeable export trends in one of the

Member States concerned show a tendency to change significantly; whereas this assessment may be made by taking account of a sufficiently long reference period to eliminate short, insignificant fluctuations; whereas a period of seven years prior to the year in question complies with this criterion; whereas, moreover, an annual difference of less than 1 % between the respective trends in exports and total quantities sold cannot show a tendency towards significant change;

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

For the period 1 July 1992 to 30 June 1993, the coefficient referred to in Article 3 of Regulation (EEC) No 1188/81 and applicable to cereals used in the United Kingdom for the manufacture of Scotch whisky shall be as shown in the Annex.

*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 July 1992.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.⁽⁴⁾ OJ No L 363, 27. 11. 1990, p. 4.

*ANNEX***Coefficients applicable in the United Kingdom**

Period of application	Coefficient applicable	
	to barley processed into malt used in the manufacture of malt whisky	to cereals used in the manufacture of grain whisky
1 July 1992 to 30 June 1993	0,473	0,451

COMMISSION REGULATION (EEC) No 325/93
of 12 February 1993
fixing the import levies on rice and broken rice

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

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30⁽³⁾, as last amended by Regulation (EEC) No 674/91⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3863/92⁽⁵⁾, as last amended by Regulation (EEC) No 254/93⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 February 1993.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 390, 31. 12. 1992, p. 89.

⁽⁶⁾ OJ No L 28, 5. 2. 1993, p. 59.

ANNEX

to the Commission Regulation of 12 February 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (¹)(²)(³)(⁴)	Third countries (except ACP) (⁵)
1006 10 21	—	151,66	310,53
1006 10 23	—	162,31	331,82
1006 10 25	—	162,31	331,82
1006 10 27	248,87	162,31	331,82
1006 10 92	—	151,66	310,53
1006 10 94	—	162,31	331,82
1006 10 96	—	162,31	331,82
1006 10 98	248,87	162,31	331,82
1006 20 11	—	190,48	388,16
1006 20 13	—	203,79	414,78
1006 20 15	—	203,79	414,78
1006 20 17	311,09	203,79	414,78
1006 20 92	—	190,48	388,16
1006 20 94	—	203,79	414,78
1006 20 96	—	203,79	414,78
1006 20 98	311,09	203,79	414,78
1006 30 21	—	235,85	495,56 (°)
1006 30 23	—	285,27	594,31 (°)
1006 30 25	—	285,27	594,31 (°)
1006 30 27	445,73 (°)	285,27	594,31 (°)
1006 30 42	—	235,85	495,56 (°)
1006 30 44	—	285,27	594,31 (°)
1006 30 46	—	285,27	594,31 (°)
1006 30 48	445,73 (°)	285,27	594,31 (°)
1006 30 61	—	251,54	527,78 (°)
1006 30 63	—	306,20	637,10 (°)
1006 30 65	—	306,20	637,10 (°)
1006 30 67	477,83 (°)	306,20	637,10 (°)
1006 30 92	—	251,54	527,78 (°)
1006 30 94	—	306,20	637,10 (°)
1006 30 96	—	306,20	637,10 (°)
1006 30 98	477,83 (°)	306,20	637,10 (°)
1006 40 00	—	68,16	142,33

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

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

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

(⁴) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(⁵) The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3778/91.

(⁶) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in Regulation (EEC) No 3877/86, as amended by Regulation (EEC) No 3130/91.

(⁷) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 326/93

of 12 February 1993

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3862/92 ⁽³⁾, as last amended by Regulation (EEC) No 255/93 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 February 1993.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.⁽³⁾ OJ No L 390, 31. 12. 1992, p. 86.⁽⁴⁾ OJ No L 28, 5. 2. 1993, p. 61.

ANNEX

to the Commission Regulation of 12 February 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	<i>(ECU/tonne)</i>			
	Current 2	1st period 3	2nd period 4	3rd period 5
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 327/93
of 12 February 1993
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 29/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 312/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 29/93 to

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 11 February 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 February 1993.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 5, 9. 1. 1993, p. 14.

⁽⁵⁾ OJ No L 36, 12. 2. 1993, p. 37.

ANNEX

to the Commission Regulation of 12 February 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy (1)
1701 11 10	39,01 (1)
1701 11 90	39,01 (1)
1701 12 10	39,01 (1)
1701 12 90	39,01 (1)
1701 91 00	45,49
1701 99 10	45,49
1701 99 90	45,49 (2)

(1) The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

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

(3) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 328/93
of 12 February 1993
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 3864/92 ⁽³⁾, as last amended by Regulation (EEC) No 190/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3864/92 to the prices

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 February 1993.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.
⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.
⁽³⁾ OJ No L 390, 31. 12. 1992, p. 92.
⁽⁴⁾ OJ No L 22, 30. 1. 1993, p. 86.

ANNEX

to the Commission Regulation of 12 February 1993 fixing the import levies on milk and milk products

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

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		15,50	0403 10 16	(1)	2,0114/kg + 30,36
0401 10 90		14,29	0403 10 22		23,99
0401 20 11		21,58	0403 10 24		29,34
0401 20 19		20,37	0403 10 26		72,05
0401 20 91		26,93	0403 10 32	(1)	0,1795/kg + 29,15
0401 20 99		25,72	0403 10 34	(1)	0,2330/kg + 29,15
0401 30 11		69,64	0403 10 36	(1)	0,6601/kg + 29,15
0401 30 19		68,43	0403 90 11		104,21
0401 30 31		134,60	0403 90 13		170,37
0401 30 39		133,39	0403 90 19		208,39
0401 30 91		226,60	0403 90 31	(1)	0,9696/kg + 30,36
0401 30 99		225,39	0403 90 33	(1)	1,6312/kg + 30,36
0402 10 11	(1)	104,21	0403 90 39	(1)	2,0114/kg + 30,36
0402 10 19	(1)(°)	96,96	0403 90 51		23,99
0402 10 91	(1)(°)	0,9696/kg + 30,36	0403 90 53		29,34
0402 10 99	(1)(°)	0,9696/kg + 23,11	0403 90 59		72,05
0402 21 11	(1)	170,37	0403 90 61	(1)	0,1795/kg + 29,15
0402 21 17	(1)	163,12	0403 90 63	(1)	0,2330/kg + 29,15
0402 21 19	(1)(°)	163,12	0403 90 69	(1)	0,6601/kg + 29,15
0402 21 91	(1)(°)	208,39	0404 10 02		22,55
0402 21 99	(1)(°)	201,14	0404 10 04		170,37
0402 29 11	(1)(°)(°)	1,6312/kg + 30,36	0404 10 06		208,39
0402 29 15	(1)(°)	1,6312/kg + 30,36	0404 10 12		104,21
0402 29 19	(1)(°)	1,6312/kg + 23,11	0404 10 14		170,37
0402 29 91	(1)(°)	2,0114/kg + 30,36	0404 10 16		208,39
0402 29 99	(1)(°)	2,0114/kg + 23,11	0404 10 26	(1)	0,2255/kg + 23,11
0402 91 11	(1)	30,28	0404 10 28	(1)	1,6312/kg + 30,36
0402 91 19	(1)	30,28	0404 10 32	(1)	2,0114/kg + 30,36
0402 91 31	(1)	37,85	0404 10 34	(1)	0,9696/kg + 30,36
0402 91 39	(1)	37,85	0404 10 36	(1)	1,6312/kg + 30,36
0402 91 51	(1)	134,60	0404 10 38	(1)	2,0114/kg + 30,36
0402 91 59	(1)	133,39	0404 10 48	(2)	0,2255/kg
0402 91 91	(1)	226,60	0404 10 52	(2)	1,6312/kg + 6,04
0402 91 99	(1)	225,39	0404 10 54	(2)	2,0114/kg + 6,04
0402 99 11	(1)	49,85	0404 10 56	(2)	0,9696/kg + 6,04
0402 99 19	(1)	49,85	0404 10 58	(2)	1,6312/kg + 6,04
0402 99 31	(1)(°)	1,3097/kg + 26,74	0404 10 62	(2)	2,0114/kg + 6,04
0402 99 39	(1)(°)	1,3097/kg + 25,53	0404 10 72	(2)	0,2255/kg + 23,11
0402 99 91	(1)(°)	2,2297/kg + 26,74	0404 10 74	(2)	1,6312/kg + 29,15
0402 99 99	(1)(°)	2,2297/kg + 25,53	0404 10 76	(2)	2,0114/kg + 29,15
0403 10 02		104,21	0404 10 78	(2)	0,9696/kg + 29,15
0403 10 04		170,37	0404 10 82	(2)	1,6312/kg + 29,15
0403 10 06		208,39	0404 10 84	(2)	2,0114/kg + 29,15
0403 10 12	(1)	0,9696/kg + 30,36	0404 90 11		104,21
0403 10 14	(1)	1,6312/kg + 30,36	0404 90 13		170,37

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		208,39	0406 90 31	(°)(°)(°)	192,08
0404 90 31		104,21	0406 90 33	(°)(°)	192,08
0404 90 33		170,37	0406 90 35	(°)(°)(°)	192,08
0404 90 39		208,39	0406 90 37	(°)(°)(°)	192,08
0404 90 51	(°)	0,9696/kg + 30,36	0406 90 39	(°)(°)(°)	192,08
0404 90 53	(°)(°)	1,6312/kg + 30,36	0406 90 50	(°)(°)(°)	192,08
0404 90 59	(°)	2,0114/kg + 30,36	0406 90 61	(°)(°)	392,36
0404 90 91	(°)	0,9696/kg + 30,36	0406 90 63	(°)(°)	392,36
0404 90 93	(°)(°)	1,6312/kg + 30,36	0406 90 69	(°)(°)	392,36
0404 90 99	(°)	2,0114/kg + 30,36	0406 90 73	(°)(°)	192,08
0405 00 11	(°)	233,38	0406 90 75	(°)(°)	192,08
0405 00 19	(°)	233,38	0406 90 77	(°)(°)	192,08
0405 00 90		284,72	0406 90 79	(°)(°)	192,08
0406 10 20	(°)(°)	234,09	0406 90 81	(°)(°)	192,08
0406 10 80	(°)(°)	288,80	0406 90 85	(°)(°)	192,08
0406 20 10	(°)(°)(°)	392,36	0406 90 89	(°)(°)(°)	192,08
0406 20 90	(°)(°)	392,36	0406 90 93	(°)(°)	234,09
0406 30 10	(°)(°)(°)	183,35	0406 90 99	(°)(°)	288,80
0406 30 31	(°)(°)(°)	177,42	1702 10 10		23,09
0406 30 39	(°)(°)(°)	183,35	1702 10 90		23,09
0406 30 90	(°)(°)(°)	280,07	2106 90 51		23,09
0406 40 00	(°)(°)(°)	148,14	2309 10 15		75,14
0406 90 11	(°)(°)(°)	226,90	2309 10 19		97,44
0406 90 13	(°)(°)(°)	171,25	2309 10 39		91,84
0406 90 15	(°)(°)(°)	171,25	2309 10 59		77,05
0406 90 17	(°)(°)(°)	171,25	2309 10 70		97,44
0406 90 19	(°)(°)(°)	392,36	2309 90 35		75,14
0406 90 21	(°)(°)(°)	226,90	2309 90 39		97,44
0406 90 23	(°)(°)(°)	192,08	2309 90 49		91,84
0406 90 25	(°)(°)(°)	192,08	2309 90 59		77,05
0406 90 27	(°)(°)(°)	192,08	2309 90 70		97,44
0406 90 29	(°)(°)(°)	192,08			

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

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

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

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

(°) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex 1 to that Regulation.

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

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

(°) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 584/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 329/93

of 12 February 1993

fixing the maximum buying-in price and the quantities of beef bought in for the 85th partial invitation to tender under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 125/93⁽²⁾, and in particular Article 6 (8) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3891/92⁽⁴⁾, an invitation to tender was opened by Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EEC) No 257/93⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted, without, however, exceeding the average national or regional market price plus the amount mentioned in paragraph 1; whereas, however, pursuant to Article 5 of that Regulation, where the intervention agencies in Member States are offered meat in quantities greater than they are able to take over forthwith, such intervention agencies may limit buying in to the quantities they can take over;

Whereas, after the tenders submitted for the 85th partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughtering, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate depending on the differences in prices and the quantities tendered for,

several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 11 (3) of Regulation (EEC) No 859/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 85th partial invitation to tender opened by Regulation (EEC) No 1627/89:

(a) for category A:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 252,80 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 7 940 tonnes; the quantities offered are hereby reduced by 30 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(b) for category C:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 243,80 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity accepted of carcasses or half-carcasses is hereby fixed at 9 579 tonnes; the quantities offered are hereby reduced by 30 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89,
- the maximum buying-in price per 100 kilograms of carcasses or half-carcasses of quality R3 is hereby fixed at ECU 239,253 in Great Britain.

Article 2

This Regulation shall enter into force on 15 February 1993.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 391, 31. 12. 1992, p. 57.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 28, 5. 2. 1993, p. 65.

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

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 December 1992

approving the programme for the eradication of rabies presented by Italy and fixing the level of the Community's financial contribution

(Only the Italian text is authentic)

(93/90/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 92/237/EEC⁽²⁾ and in particular Article 24 thereof,

Whereas Council Decision 89/455/EEC of 24 July 1989 on introducing a measure to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽³⁾ has terminated in Spring 1992 and whereas these pilot projects were remarkably successful and have demonstrated the feasibility of rabies eradication from the Community;

Whereas it is now desirable to introduce full scale eradication measures in infected Member States and adjacent infected third countries in order to prohibit the re-entry of rabies;

Whereas the eradication programme as presented by Italy includes the adjacent areas of Austria and Slovenia;

Whereas by letter dated 12 June 1992, Italy has submitted a programme for the eradication of rabies to be carried out in Autumn 1992;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC on laying down Community criteria for the eradication and monitoring of certain animal diseases⁽⁴⁾, as last amended by Directive 92/65/EEC⁽⁵⁾;

Whereas a Community financial contribution will be given provided the abovementioned conditions are fulfilled, and the authorities will provide all necessary information in conformity with Article 24 (8) of Decision 90/424/EEC, and whereas it is appropriate to fix the Community financial participation at the rate of ECU 0,5 for each vaccine plus bait laid;

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 programme in September, October, November and December 1992 for the eradication of rabies, presented by Italy is hereby approved.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 187, 7. 7. 1992, p. 45.

⁽³⁾ OJ No L 223, 2. 8. 1989, p. 19.

⁽⁴⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁵⁾ OJ No L 268, 14. 9. 1992, p. 54.

Article 2

Italy shall bring into force by 1 September 1992 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

Financial participation by the Community shall be at the rate of ECU 0,5 for each vaccine plus bait laid within the eradication area.

Article 4

The Community financial contribution shall be granted after the supporting documents have been supplied.

Article 5

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 23 December 1992

approving the programme for the eradication of rabies presented by the Kingdom of Belgium and fixing the level of the Community's financial contribution

(Only the Dutch and French texts are authentic)

(93/91/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 92/237/EEC ⁽²⁾ and in particular Article 24 thereof,

Whereas Council Decision 89/455/EEC of 24 July 1989 on introducing a measure to set up pilot projects for the control of rabies with a view to its eradication or prevention ⁽³⁾ has terminated in Spring 1992 and whereas these pilot projects were remarkably successful and have demonstrated the feasibility of rabies eradication from the Community;

Whereas it is now desirable to introduce full scale eradication measures in infected Member States and adjacent infected third countries in order to prohibit the re-entry of rabies;

Whereas by letter dated 12 June 1992, Belgium has submitted a programme for the eradication of rabies to be carried out in Autumn 1992;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC on laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽⁴⁾, as last amended by Directive 92/65/EEC ⁽⁵⁾;

Whereas a Community financial contribution will be given provided the abovementioned conditions are fulfilled, and the authorities will provide all necessary information in conformity with Article 24 (8) of Decision 90/424/EEC, and whereas it is appropriate to fix the Community financial participation at the rate of ECU 0,5 for each vaccine plus bait laid plus 50 % of the cost of aerial distribution of said vaccine plus bait;

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 programme in September, October, November and December 1992 for the eradication of rabies, presented by Belgium is hereby approved.

Article 2

Belgium shall bring into force by 1 September 1992 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

Financial participation by the Community shall be at the rate of ECU 0,5 for each vaccine plus bait laid within the eradication area plus 50 % of the cost of aerial distribution of the vaccine plus bait.

Article 4

The Community financial contribution shall be granted after the supporting documents have been supplied.

Article 5

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 23 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 187, 7. 7. 1992, p. 45.

⁽³⁾ OJ No L 223, 2. 8. 1989, p. 19.

⁽⁴⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁵⁾ OJ No L 268, 14. 9. 1992, p. 54.

COMMISSION DECISION

of 23 December 1992

approving the programme for the eradication of rabies presented by France and fixing the level of the Community's financial contribution

(Only the French text is authentic)

(93/92/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 92/237/EEC ⁽²⁾ and in particular Article 24 thereof,Whereas Council Decision 89/455/EEC of 24 July 1989 on introducing a measure to set up pilot projects for the control of rabies with a view to its eradication or prevention ⁽³⁾ has terminated in Spring 1992 and whereas these pilot projects were remarkably successful and have demonstrated the feasibility of rabies eradication from the Community;

Whereas it is now desirable to introduce full scale eradication measures in infected Member States and adjacent infected third countries in order to prohibit the re-entry of rabies;

Whereas by letter dated 26 May 1992, France has submitted a programme for the eradication of rabies to be carried out in Autumn 1992;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC on laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽⁴⁾, as last amended by Directive 92/65/EEC ⁽⁵⁾;

Whereas a Community financial contribution will be given provided the abovementioned conditions are fulfilled, and the authorities will provide all necessary information in conformity with Article 24 (8) of Decision 90/424/EEC, and whereas it is appropriate to fix the Community financial participation at the rate of ECU 0,5 for each vaccine plus bait laid plus 50 % of the cost of aerial distribution of said vaccine plus bait;

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 programme in September, October, November and December 1992 for the eradication of rabies, presented by France is hereby approved.

Article 2

France shall bring into force by 1 September 1992 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

Financial participation by the Community shall be at the rate of ECU 0,5 for each vaccine plus bait laid within the eradication area plus 50 % of the cost of aerial distribution of the vaccine plus bait.

Article 4

The Community financial contribution shall be granted after the supporting documents have been supplied.

Article 5

This Decision is addressed to the French Republic.

Done at Brussels, 23 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.⁽²⁾ OJ No L 187, 7. 7. 1992, p. 45.⁽³⁾ OJ No L 223, 2. 8. 1989, p. 19.⁽⁴⁾ OJ No L 347, 12. 12. 1990, p. 27.⁽⁵⁾ OJ No L 268, 14. 9. 1992, p. 54.

COMMISSION DECISION

of 23 December 1992

approving the programme for the eradication of rabies presented by the Federal Republic of Germany and fixing the level of the Community's financial contribution

(Only the German text is authentic)

(93/93/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 92/337/EEC ⁽²⁾ and in particular Article 24 thereof,

Whereas Council Decision 89/455/EEC of 24 July 1989 on introducing a measure to set up pilot projects for the control of rabies with a view to its eradication or prevention ⁽³⁾ has terminated in Spring 1992 and whereas these pilot projects were remarkably successful and have demonstrated the feasibility of rabies eradication from the Community;

Whereas it is now desirable to introduce full scale eradication measures in infected Member States and adjacent infected third countries in order to prohibit the re-entry of rabies;

Whereas the eradication programme as presented by the Federal Republic of Germany includes the adjacent areas of Poland, Austria and Czechoslovakia;

Whereas by letter dated 3 June 1992 and communication of 10 September 1992, the Federal Republic of Germany has submitted a programme for the eradication of rabies to be carried out in Autumn 1992;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC on laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽⁴⁾, as last amended by Directive 92/65/EEC ⁽⁵⁾;

Whereas a Community financial contribution will be given provided the abovementioned conditions are fulfilled, and the authorities will provide all necessary information in conformity with Article 24 (8) of Decision 90/424/EEC, and whereas it is appropriate to fix the

Community financial participation at the rate of ECU 0,5 for each vaccine plus bait laid plus 50 % of the cost of aerial distribution of said vaccine plus bait;

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 programme in September, October, November and December 1992 for the eradication of rabies, presented by the Federal Republic of Germany is hereby approved.

Article 2

The Federal Republic of Germany shall bring into force by 1 September 1992 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

Financial participation by the Community shall be at the rate of ECU 0,5 for each vaccine plus bait laid within the eradication area plus 50 % of the cost of aerial distribution of the vaccine plus bait.

Article 4

The Community financial contribution shall be granted after the supporting documents have been supplied.

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 23 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.⁽²⁾ OJ No L 187, 7. 7. 1992, p. 45.⁽³⁾ OJ No L 223, 2. 8. 1989, p. 19.⁽⁴⁾ OJ No L 347, 12. 12. 1990, p. 27.⁽⁵⁾ OJ No L 268, 14. 9. 1992, p. 54.

COMMISSION DECISION

of 23 December 1992

approving the programme for the eradication of rabies presented by Luxembourg and fixing the level of the Community's financial contribution

(Only the French text is authentic)

(93/94/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 92/337/EEC⁽²⁾ and in particular Article 24 thereof,

Whereas Council Decision 89/455/EEC of 24 July 1989 on introducing a measure to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽³⁾ has terminated in Spring 1992 and whereas these pilot projects were remarkably successful and have demonstrated the feasibility of rabies eradication from the Community;

Whereas it is now desirable to introduce full scale eradication measures in infected Member States and adjacent infected third countries in order to prohibit the re-entry of rabies;

Whereas by letter dated 9 June 1992, Luxembourg has submitted a programme for the eradication of rabies to be carried out in Autumn 1992;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC on laying down Community criteria for the eradication and monitoring of certain animal diseases⁽⁴⁾, as last amended by Directive 92/65/EEC⁽⁵⁾;

Whereas a Community financial contribution will be given provided the abovementioned conditions are fulfilled, and the authorities will provide all necessary information in conformity with Article 24 (8) of Decision 90/424/EEC, and whereas it is appropriate to fix the Community financial participation at the rate of ECU 0,5 for each vaccine plus bait laid plus 50 % of the cost of aerial distribution of said vaccine plus bait;

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 programme in September, October, November and December 1992 for the eradication of rabies, presented by Luxembourg is hereby approved.

Article 2

Luxembourg shall bring into force by 1 September 1992 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

Financial participation by the Community shall be at the rate of ECU 0,5 for each vaccine plus bait laid within the eradication area plus 50 % of the cost of aerial distribution of the vaccine plus bait.

Article 4

The Community financial contribution shall be granted after the supporting documents have been supplied.

Article 5

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 23 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 187, 7. 7. 1992, p. 45.

⁽³⁾ OJ No L 223, 2. 8. 1989, p. 19.

⁽⁴⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁵⁾ OJ No L 268, 14. 9. 1992, p. 54.

COMMISSION DECISION

of 2 February 1993

amending Decision 85/593/Euratom on the reorganization of the Joint Research Centre (JRC)

(93/95/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 8 thereof,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities, and in particular Article 16 thereof,

Whereas, pursuant to Commission Decision 85/593/Euratom of 20 November 1985 on the reorganization of the Joint Research Centre (JRC)⁽¹⁾, the JRC was given a new structure suited to its particular purpose;

Whereas the Commission decides on the terms of reference of the Board of Governors of the JRC, in particular as regards the implementation of the specific research programmes adopted in Council Decisions 92/273/EEC⁽²⁾ and 92/274/Euratom⁽³⁾, and the implementation of the supplementary research programme adopted in Council Decision 92/275/Euratom⁽⁴⁾, to be implemented by the JRC;

Whereas the role of the Board of Governors should be strengthened;

Whereas the terms of reference of the Board of Governors, as laid down in the Commission Decision of 3 June 1988, should therefore be amended; whereas the latter was also aimed at abolishing the Scientific Council of the JRC;

Whereas it is appropriate to provide for a balanced distribution between the members of the Scientific Committee designated by the Director-General of the JRC and those designated by the representatives of the scientific and technical staff;

Whereas Decision 85/593/Euratom should be amended accordingly,

HAS DECIDED AS FOLLOWS:

Sole Article

Decision 85/593/Euratom is hereby amended as follows:

1. The third indent of Article 2 is deleted;
2. Article 4 is replaced by the following text:

Article 4

1. A Board of Governors of the JRC is hereby set up. It shall consist of 13 members, namely:

- (a) a high-level representative from each Member State, appointed by the Commission on the basis of nominations by the authorities of the State in question; and
- (b) a Chairman elected by the 12 representatives of the Member States referred to in point (a).

All members shall be appointed for a term of three years, which shall be renewable.

2. The Board of Governors shall have the task of providing guidance for the Director-General and issuing opinions for submission to the Commission on matters concerning:

- the role of the JRC in the context of the Community's research and development strategy;
- scientific/technical and financial management of the JRC and the performance of the tasks assigned to it.

With regard to matters delegated to the Director-General by the Commission and in conformity with all the matters concerning more specifically the Board of Governors, the Director-General shall request the opinion of the Board of Governors on his proposals before they are implemented.

The prior opinion of the Board of Governors shall be required on any matter submitted to the Commission for a decision.

The Board of Governors shall deal more specifically with:

- (i) the proposals for specific research programmes to be implemented by the JRC under the framework programme for Community activities in the field of research and technological development, and proposals for other new tasks to be entrusted to the JRC;
- (ii) the preparation of multiannual strategic planning covering all JRC activities, and each year, not later than 31 March, the corresponding annual work plan indicating the objectives of each work programme and including a summary description of the programme with key dates, scientific references and estimated expenditure;

⁽¹⁾ OJ No L 373, 31. 12. 1985, p. 6.

⁽²⁾ OJ No L 141, 23. 5. 1992, p. 11.

⁽³⁾ OJ No L 141, 23. 5. 1992, p. 20.

⁽⁴⁾ OJ No L 141, 23. 5. 1992, p. 27.

- (iii) the implementation of the specific research programmes, in particular aspects relating to their performance and their consistency with the needs of the Community — the latter aspect entailing annual consultations organized by the Board of Governors — and any proposals to amend the specific research programmes;
- (iv) relations with other Commission departments and with third parties based on the customer/contractor principle;
- (v) the formulation of proposals concerning the annual budget of the JRC and the monitoring of its implementation;
- (vi) major investments;
- (vii) the organization of the JRC, its financial management and the implementation and evaluation of its research programmes;
- (viii) staff policy, with special emphasis on :
 - the formulation of proposals concerning JRC staff policy during the period covered by the specific programmes and the monitoring of their subsequent implementation;
 - staff mobility and exchanges of scientific and technical staff with public and private bodies in the Member States;
- (ix) the appointment of high-level JRC staff;
- (x) the definition of preparatory research to be conducted within the JRC.

3. The Board of Governors shall issue opinions on the basis of the majority required by Article 118 (2) of the EAEC Treaty, the votes being weighted in accordance therewith. The Chairman shall not vote.

The Commission shall take the utmost account of the opinions issued by the Board of Governors. In the absence of the assent of the Board of Governors to a proposal by the Director-General, the matter shall be referred to the Commission, which shall decide the matter. The Board of Governors shall be informed of the Commission's decision. The Council shall be informed without delay if the decision is not in keeping with the opinion of the Board of Governors. It shall also be informed of the reasons for the decision.

If the Commission does not accept an opinion issued by the Board of Governors on matters requiring a decision by the Commission, implementation of measures relating to such matters shall be postponed for one month; during this month the matters in question shall be referred back to the Board of Governors and a new opinion shall be requested. On receipt of this

opinion or at the end of the month in question, the Commission shall take a final decision and shall inform the Board of Governors thereof. If it is unable to accept the opinion of the Board of Governors, the Commission shall inform the Council of its decision and of the reasons for the decision without delay. The Commission shall keep the Board of Governors informed of its decisions relating to the JRC in respect of any matter on which the Board of Governors has issued an opinion.

The Board of Governors may, through the Commission, submit opinions to the Council and European Parliament on all matters relating to the JRC.

4. The Board of Governors shall submit an annual report containing its comments on the annual management report drawn up by the Director-General. This report, together with the annual management report as approved by the Commission, shall be sent to the Council and to the European Parliament.

The Board of Governors shall advise the Director-General with regard to the organization of the evaluation of the tasks performed by the JRC, in connection both with the scientific and technical results and with the administrative and financial restructuring of the Centre; it shall also provide advice about the selection of independent experts called upon to participate in this evaluation.

The Board of Governors shall submit its own comments on the results of these evaluations.

5. The Board of Governors shall meet at least four times a year.

The Board of Governors shall draw up its rules of procedure, including rules concerning the organization of its work.

The JRC shall provide the secretariat for the Board of Governors and shall make available to it any information it may require. For the performance of its function, the Board of Governors may call upon scientific, industrial and other advice which it judges to be necessary.

3. Articles 5 and 6 are deleted.

4. Article 7 becomes Article 5. Its second paragraph is replaced by the following:

'One half of the Scientific Committee shall be composed of members designated by the Director-General from among the main heads of unit or project managers and the high-level scientific staff, and the other half shall be composed of representatives of the scientific and technical staff elected by that staff.'

5. Article 8 becomes Article 6. Paragraphs 1 and 2 thereof are replaced by the following :
- ‘1. Having due regard to the general policy adopted by the Council and the European Parliament and to the general guidelines issued by the Commission, the Director-General of the JRC shall prepare the draft programmes for the JRC’s fields of activity.
2. The Board of Governors of the JRC shall be consulted on the draft programmes.’
6. Article 9 becomes Article 7.
7. Article 10 is deleted.
8. Article 11 becomes Article 8. The second subparagraph of Article 11 (1) is replaced by the following :
‘Article 6 shall apply *mutatis mutandis* to the preparation of preliminary draft budgets for research activities.’
9. Articles 12 and 13 become Articles 9 and 10 respectively.

Done at Brussels, 2 February 1993.

For the Commission

Antonio RUBERTI

Member of the Commission

COMMISSION DECISION

of 12 February 1993

on certain protective measures with respect to bivalve molluscs from Morocco

(93/96/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Directive 92/438/EEC⁽²⁾, and in particular Article 19 (1) thereof,

Whereas the presence of a paralytic toxin (PSP) has been recorded on several occasions in consignments of bivalve molluscs imported from Morocco;

Whereas the levels of toxin observed can constitute a serious danger to public health; whereas the necessary protective measures should be adopted rapidly at Community level;

Whereas in the absence of health guarantees from the Moroccan authorities imports of bivalve molluscs from Morocco should be prohibited,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall prohibit the importation of consignments of bivalve molluscs, marine gastropods and echinoderms originating in Morocco.

Article 2

Member States shall amend the measures which they apply to importations in order to bring them into conformity with the present Decision. They shall inform the Commission thereof.

Article 3

This Decision shall apply until 15 March 1993.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 12 February 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.