

COUNCIL OF THE EUROPEAN COMMUNITIES

# **COMPILATION OF TEXTS**

## **XVII**

**ASSOCIATION  
OF THE OVERSEAS COUNTRIES AND TERRITORIES**

**FRENCH OVERSEAS DEPARTMENTS**

**1 January 1993 to 31 December 1993**





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# **Part 1: OCTs**

## **I — Implementing texts**

**A — Trade**

*(a) Cereals*



**COMMISSION DECISION**

of 25 February 1993

**introducing safeguard measures in respect of rice originating in the Netherlands Antilles**

(93/127/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community, and in particular Article 109 thereof (1),

Having consulted the Committee set up by Article 1 (2) of Annex IV to that Decision,

Whereas, on 3 November and 1 December 1992 the French and Italian Governments respectively applied to the Commission, pursuant to Article 109 of Decision 91/482/EEC, for safeguard measures to be introduced in respect of imports of rice from the Netherlands Antilles; whereas the Commission asked the French Government for further information and this was submitted on 15 December 1992;

Whereas the French and Italian Governments have pointed out that increased imports of cheap rice from the Netherlands Antilles over the last few months have caused serious disruption in the Community rice sector and may cripple this sector of the Community economy;

Whereas the volume of trade between the Netherlands Antilles and the Community in semi-milled Indica rice has been growing apace since March 1992;

Whereas this rice, which is exempted from the levy on import into the Community in accordance with Article 10 (1) of Decision 91/482/EEC, is sold on the Community market at a much lower price than that at which Community rice can be sold given the level of processing involved; whereas these cheap imports may seriously disrupt the Community market;

Whereas the Community has provided aid per hectare on a temporary basis to encourage Community producers to grow more Indica rice; whereas imports of cheap rice from the Netherlands Antilles may undermine these

efforts to diversify production, leading European producers initially to put enormous quantities into intervention and subsequently to return to growing Japonica rice, of which there is already a surplus;

Whereas the exports from the Netherlands Antilles may jeopardize the measures taken under the Poseidon programme to promote the sale of rice produced in French Guiana to Guadeloupe and Martinique;

Whereas the quantities of rice imported from the Netherlands Antilles account for a large proportion of overall Community imports of Indica rice and are likely to increase still further owing to the region's unrealized potential;

Whereas, on 14 January 1993, the Government of the Netherlands Antilles adopted legislation prohibiting the export of semi-milled rice to the Community below a minimum price equivalent to 120 % of the levy applying to semi-milled rice from third countries and setting a floor price of US\$ 710 per tonne; whereas, according to the authorities of the Netherlands Antilles, the purpose of these measures is to shelter Community producers against the negative effects of further exports of semi-milled rice from the Netherlands Antilles;

Whereas this objective can be attained only if the price set is applied throughout the Community at all stages of marketing; whereas the measures taken by the Netherlands Antilles apply only to the territory defined by their constitution and cannot provide such an assurance; whereas Community legislation on imports cannot guarantee that such measures are observed, given their legal nature;

Whereas a floor price of US\$ 710 per tonne is less than the necessary minimum if the cost of Community production is taken into account;

Whereas, consequently, the threat of damage to a sector of the Community economy still exists; whereas safeguard measures should therefore be applied to imports into the Community of semi-milled Indica rice from the Netherlands Antilles pursuant to Article 109 of Decision 91/482/EEC;

(1) OJ No L 263, 19. 9. 1991, p. 1.

Whereas priority should be given to measures which would least disturb the functioning of the association and the Community, in accordance with Article 109 (2) of Decision 91/482/EEC; whereas such measures must, moreover, not exceed the limit of what is strictly necessary to remedy the difficulties that have arisen;

Whereas a Community system of a price taking into account the intervention price backed up by supervision on the basis of the Community provisions governing release for free circulation and customs value would be the most appropriate way forward;

Whereas, in view of the quantities already supplied during the 1992/93 marketing year, these temporary measures should apply until the end of this marketing year,

HAS ADOPTED THIS DECISION:

*Article 1*

1. Semi-milled rice falling within CN codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles may be released for free circulation in the Community free of import duties, provided the customs value is not less than a minimum price equivalent to 120 % of the levy applying to semi-milled rice in accordance with Council Regulation (EEC) No 1418/76 (1).
2. The minimum price obtained pursuant to paragraph 1 may not be less than a floor price equivalent to ECU 546 per tonne of semi-milled rice. From 1 March 1993 this floor price shall be increased each month by ECU 3,5 per tonne.
3. The conversion rate applying to amounts expressed in ecus referred to in paragraphs 2 and 3 is the agricultural conversion rate applying at the time of completion of customs formalities on import of the goods into the Community.

*Article 2*

1. The words 'compulsory minimum price' in the language in which the certificate is drafted and the minimum price calculated in accordance with Article 1 shall be entered in box 24 in the import certificate issued pursuant to Regulation (EEC) No 1418/76.

2. The customs authorities may, after releasing the goods and in order to satisfy themselves as to the accuracy of the particulars contained in the declaration, inspect the commercial documents and data relating to the import operations in respect of the goods concerned or to subsequent commercial operations involving those goods. Such inspections may be carried out at the premises of the declarant, of any other person directly or indirectly involved in the said operations in a business capacity or of any other person in possession of the said document and data for business purposes. Those authorities may also examine the goods where it is still possible for them to be produced.

3. Where post-clearance checks reveal that the provisions of this Decision have been applied on the basis of incorrect or incomplete information, the customs authorities shall take the measures necessary to regularize the situation in the light of the new information available to them and shall apply the relevant penalties.

*Article 3*

Member States shall inform the Commission, each week, by all means of written telecommunication, of the quantities of rice for which import certificates have been issued giving details of the date of issue and the exporting country.

This information must be provided separately from that relating to other applications for import certificates in the rice sector.

*Article 4*

This Decision shall apply until 31 August 1993.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 25 February 1993.

*For the Commission*

Manuel MARÍN

*Member of the Commission*

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(1) OJ No L 166, 25. 6. 1976, p. 1.

COMMISSION DECISION

of 13 April 1993

modifying Decision 93/127/EEC concerning safeguard measures in respect of rice originating in the Netherlands Antilles

(93/211/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community, and in particular Article 109 thereof (1),

Having consulted the Committee set up by Article 1 (2) of Annex IV to that Decision,

Whereas Commission Decision 93/127/EEC (2) has submitted the release for free circulation in the Community free of import duties of semi-milled rice falling within CN-codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles to a minimum price equivalent to 120 % of the levy applying to semi-milled rice ;

Whereas the market situation has improved after the adoption of the safeguard measures and a relaxation of such measures ;

Whereas when safeguard measures are adopted pursuant to Article 109 of Decision 91/482/EEC priority should be given to provisions which should least disturb the functioning of the association and the Community, and, moreover, which do not exceed the limit of what is strictly necessary to remedy the difficulties that have arisen ;

Whereas it is therefore appropriate to fix the minimum price at a lower level,

HAS ADOPTED THIS DECISION :

*Article 1*

Article 1 of Decision 93/127/EEC is replaced by the following text :

*'Article 1*

Semi-milled rice falling within CN codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles may be released for free circulation in the Community free of import duties provided the customs value is not less than a minimum price of ECU 550 per tonne. The conversion rate is the agricultural conversion rate applying at the time of completion of customs formalities on imports of the goods into the Community.'

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 13 April 1993.

*For the Commission*

Manuel MARÍN

*Member of the Commission*

(1) OJ No L 263, 19. 9. 1991, p. 1.

(2) OJ No L 50, 2. 3. 1993, p. 27.

## COMMISSION

### COMMISSION DECISION

of 16 June 1993

repealing Decision 93/127/EEC introducing safeguard measures in respect of rice originating in the Netherlands Antilles

(93/356/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(1)</sup>, and in particular Article 109 thereof,

Having consulted the Committee set up by Article 1 (2) of Annex IV to that Decision,

Whereas the Commission, in its Decision 93/127/EEC<sup>(2)</sup>, as last amended by Decision 93/211/EEC<sup>(3)</sup>, laid down a minimum price up to 31 August 1993 for imports of semi-milled rice originating in the Netherlands Antilles;

Whereas the situation on the Community market in *Indica* rice has now greatly improved; whereas, therefore, there is no longer sufficient threat to require the maintaining of safeguard measures;

Whereas the safeguard measures should therefore be abolished,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 93/127/EEC is hereby repealed.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 16 June 1993.

*For the Commission*

Manuel MARIN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 263, 19. 9. 1991, p. 1.

<sup>(2)</sup> OJ No L 50, 2. 3. 1993, p. 27.

<sup>(3)</sup> OJ No L 90, 14. 4. 1993, p. 36.

# **Part 1: OCTs**

## **I — Implementing texts**

**A — Trade**

*(b) Milk products*





COMMISSION REGULATION (EEC) No 1924/93

of 16 July 1993

on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)

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

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural goods originating in the ACP States or in the overseas countries and territories (OCT) <sup>(1)</sup>, as modified by Regulation (EEC) No 297/91 <sup>(2)</sup>, and in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 <sup>(3)</sup>, as modified by Regulation (EEC) No 2975/90 <sup>(4)</sup>, provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas applications for licences have been made for a total quantity not greater than that available; whereas, therefore, all applications submitted should be accepted,

HAS ADOPTED THIS REGULATION:

*Article 1*

Licence applications lodged pursuant to Article 4 of Regulation (EEC) No 1150/90 from 1 to 10 July 1993 and notified to the Commission shall be accepted.

*Article 2*

This Regulation shall enter into force on 23 July 1993.

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

Done at Brussels, 16 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(2)</sup> OJ No L 36, 8. 2. 1991, p. 9.

<sup>(3)</sup> OJ No L 114, 5. 5. 1990, p. 21.

<sup>(4)</sup> OJ No L 283, 16. 10. 1990, p. 16.



# **Part 1: OCTs**

## **I — Implementing texts**

**A — Trade**

*(c) Rum*



COUNCIL REGULATION (EEC) No 1807/93

of 30 June 1993

opening and providing for the administration of a Community tariff quota for rum, tafia and arrack originating in the overseas countries and territories (OCT) associated with European Economic Community (1993 to 1994)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(1)</sup>, and in particular Annex V thereto,

Having regard to the proposal from the Commission,

Whereas Annex V to Decision 91/482/EEC stipulates that rum, tafia and arrack shall be imported into the Community free of customs duties within the limits of a Community tariff quota;

Whereas, until 31 December 1995, the Community each year sets the quantities which may be imported free of customs duties; whereas those quantities are set for 1993 on the basis of the largest annual quantities imported from the overseas countries and territories (OCT) into the Community during the last three years for which statistics are available; whereas, for 1994, the volume of the quota will be equal to that of the previous year increased by 1 740 hectolitres of pure alcohol;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, on the one hand, and as a result of the application of the method of calculation in force from 1 January 1994, on the other, the annual quota volume for the period from 1 July 1993 to 30 June 1994 should be 1 809,28 hectolitres of pure alcohol;

Whereas, however, by virtue of Article 2 (a) of Annex V to Decision 91/482/EEC, the volume of the quota concerned should be increased to 15 000 hectolitres of pure alcohol;

Whereas equal and continuous access to the said quota should be ensured for all Community importers and the rates laid down for this quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas the decision for the opening of tariff quotas in fulfilment of its international obligations should be taken by the Community; whereas, to ensure the efficient common administration of these quotas, however, there is no obstacle to authorizing the Member States to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quotas may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 July 1993 to 30 June 1994 the following products originating in the OCT shall be imported into the Community free of customs duty within the limits of the relevant Community tariff quota shown below:

Order No	CN code	Description	Quota volume (in hl of pure alcohol)	Quota duty
09.1621	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafia and arak	15 000	Free

(1) OJ No L 263, 19. 9. 1991, p. 1.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those laid down in Annex II to Decision 91/482/EEC.

*Article 2*

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take all appropriate administrative measures to ensure the effective administration thereof.

*Article 3*

If an importer presents, in a Member State, a declaration of entry for free circulation together with a request for preferential treatment for a product covered by this Regulation, and if the declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements from the quota volume.

Requests to draw from the quota, indicating the date of acceptance of the said declaration, must be transmitted to the Commission without delay.

Drawings shall be granted by the Commission by reference to the date of acceptance, by the customs authorities of the Member State concerned, of the declarations

of entry for free circulation, provided the residual balance so permits.

If a Member State does not use the quantities drawn, it shall return them to the quota as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, allocation shall be made on a pro rata basis. The Member States shall be informed by the Commission of the drawings granted.

*Article 4*

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quota as long as the residual balance of the quota volume so permits.

*Article 5*

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

*Article 6*

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

It shall apply from 1 July 1993.

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

Done at Luxembourg, 30 June 1993.

*For the Council*  
*The President*  
S. BERGSTEIN

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# **Part 1: OCTs**

## **I — Implementing texts**

**A — Trade**

*(d) Fisheries*





Corrigendum to Council Regulation (EEC) No 3926/92 of 20 December 1992 allocating, for 1993,  
Community catch quotas in Greenland waters

*(Official Journal of the European Communities No L 397 of 31 December 1992)*

On page 65:

*for:* 'Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture<sup>(1)</sup>, and in particular Article 11 thereof,'

*read:* 'Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources<sup>(1)</sup>, and in particular Article 11 thereof;'

*for:* '(1) OJ No L 389, 31. 12. 1992, p. 1.'

*read:* '(1) OJ No L 24, 27. 1. 1983, p. 1.'

On page 65 in the first and second recitals in the right-hand column:

*for:* 'Regulation (EEC) No 3760/92',

*read:* 'Regulation (EEC) No 170/83'.

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## **Part 2: FODs**

**A — Agricultural products**



COMMISSION REGULATION (EEC) No 1670/93

of 29 June 1993

amending Regulation (EEC) No 646/92 establishing the forecast supply balance and Community aid for the supply to French Guiana of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments (FOD) <sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 3 (5) thereof,

Whereas Article 3 of Regulation (EEC) No 3763/91 introduces, for the 1991/92 to 1993/94 marketing years, an exemption scheme for duties on imports as well as aid for the supply by the rest of the Community of certain cereal products used in feedingstuffs;

Whereas Commission Regulation (EEC) No 646/92 <sup>(3)</sup> establishes the forecast supply balance for those products for the department of French Guiana for the 1991/92 and

1992/93 marketing years on the basis of feedingstuffs requirements; whereas the supply balance should be drawn up for the 1993/94 marketing year;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 646/92 is hereby replaced by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 29 June 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 69, 14. 3. 1992, p. 29.

ANNEX

Supply balance for certain products used in feedingsuffs for French Guiana for the 1993/94 marketing year

<i>(in tonnes per marketing year)</i>	
CN code	1993/94
2309 90 31	} 6 200
2309 90 41	
2309 90 51	
2309 90 33	} 300
2309 90 43	
2309 90 53	
Total	6 500

COMMISSION REGULATION (EEC) No 1707/93  
of 30 June 1993

amending Regulations (EEC) No 131/92, (EEC) No 1695/92 and (EEC) No 1696/92 as regards the operative event for the agricultural conversion rate applicable to the specific measures for the supply of products to the French overseas departments, the Canary Islands and the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(1)</sup>, and in particular Articles 6 and 12 thereof,

Whereas Article 10 (2) of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates<sup>(2)</sup> provides for an operative event for the agricultural conversion rate which should be specified for the aids referred to in :

- Commission Regulation (EEC) No 131/92 of 21 January 1992 laying down common detailed rules for implementation of the specific measures for the supply of certain agricultural products to the French overseas departments<sup>(3)</sup>, as amended by Regulation (EEC) No 2132/92<sup>(4)</sup>,
- Commission Regulation (EEC) No 1695/92 of 30 June 1992 laying down common detailed rules for implementation of the specific measures for the supply of certain agricultural products to the Canary Islands<sup>(5)</sup>, as amended by Regulation (EEC) No 2132/92, and
- Commission Regulation (EEC) No 1696/92 of 30 June 1992 laying down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira<sup>(6)</sup>, as amended by Regulation (EEC) No 2132/92;

Whereas the commercial objective of the operations concerned by the aids in question, taking into consideration their links with the other measures in the supply scheme, is attained when the products reach their place of destination ;

Whereas the amount of the aid is fixed and subsequently adjusted, notably in the light of the market situation ; whereas the amount to be granted is determined by the date of the lodging of the application for the 'aid certificate', the issue of which is conditional on the lodging of a security ; whereas the effect of these conditions is equivalent to the advance fixing of the amount of the aid in ecus, enabling the provisions of the second subparagraph of Article 6 (1) of Regulation (EEC) No 3813/92 to be applied ;

Whereas steps should be taken to delete the provisions relating to the operative event for the agricultural conversion rate for the aids in question which have been determined on the basis of the agrimonetary arrangements applicable before 1 January 1993 and which are set out in :

- Article 6 of Commission Regulation (EEC) No 2025/92 of 22 July 1992 on detailed rules for the application of the specific supply measures for the Canary Islands as regards olive oil and establishing the forecast supply balance<sup>(7)</sup>, as last amended by Regulation (EEC) No 3183/92<sup>(8)</sup>,
- Article 6 of Commission Regulation (EEC) No 2026/92 of 22 July 1992 on detailed rules for the application of the specific supply measures for Madeira as regards olive oil and establishing the forecast supply balance<sup>(9)</sup>, as amended by Regulation (EEC) No 3184/92<sup>(10)</sup>,
- Article 10 of Commission Regulation (EEC) No 2253/92 of 31 July 1992 laying down detailed rules for implementing the specific arrangements for supplying the Canary Islands with products of the wine-growing sector<sup>(11)</sup>,
- Article 6 of Commission Regulation (EEC) No 2826/92 of 29 September 1992 laying down detailed implementing rules for the specific measures for supplying the French overseas department with products from the egg, poultrymeat and rabbit sectors<sup>(12)</sup>, as amended by Regulation (EEC) No 3714/92<sup>(13)</sup>,

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.  
<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.  
<sup>(3)</sup> OJ No L 15, 22. 1. 1992, p. 13.  
<sup>(4)</sup> OJ No L 213, 29. 7. 1992, p. 25.  
<sup>(5)</sup> OJ No L 179, 1. 7. 1992, p. 1.  
<sup>(6)</sup> OJ No L 179, 1. 7. 1992, p. 6.

<sup>(7)</sup> OJ No L 207, 23. 7. 1992, p. 15.  
<sup>(8)</sup> OJ No L 317, 31. 10. 1992, p. 68.  
<sup>(9)</sup> OJ No L 207, 23. 7. 1992, p. 18.  
<sup>(10)</sup> OJ No L 317, 31. 10. 1992, p. 70.  
<sup>(11)</sup> OJ No L 219, 4. 8. 1992, p. 30.  
<sup>(12)</sup> OJ No L 285, 30. 9. 1992, p. 10.  
<sup>(13)</sup> OJ No L 378, 23. 12. 1992, p. 23.

— Article 6 of Commission Regulation (EEC) No 2900/92 of 5 October 1992 laying down detailed implementing rules for the specific measures for supplying the French overseas department with breeding rabbits <sup>(1)</sup>, and

— Article 6 of Commission Regulation (EEC) No 2989/92 of 15 October 1992 laying down detailed implementing rules for the specific measures for supplying the French overseas departments with products in the pigmeat sector <sup>(2)</sup>;

Whereas these measures shall apply from 1 July 1993, being the date of the entry into force of certain provisions of Regulation (EEC) No 1068/93;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. The following paragraph is hereby added to Article 3 of Regulation (EEC) No 131/92:

'8. The operative event for the agricultural conversion rate for the aid shall be charging of the "aid certificate" by the competent authorities of the place of destination.

The agricultural conversion rate may be fixed in advance on the conditions referred to in Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 <sup>(3)</sup>.'

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

2. The following paragraph is hereby added to Article 4 of Regulation (EEC) No 1695/92:

'9. The operative event for the agricultural conversion rate for the aid shall be the charging of the "aid

certificate" by the competent authorities of the place of destination.

The agricultural conversion rate may be fixed in advance on the conditions referred to in Articles 13 to 17 of Regulation (EEC) No 1068/93 <sup>(3)</sup>.'

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

3. The following paragraph is hereby added to Article 4 of Regulation (EEC) No 1696/92:

'9. The operative event for the agricultural conversion rate for the aid shall be the charging of the "aid certificate" by the competent authorities of the place of destination.

The agricultural conversion rate may be fixed in advance on the conditions referred to in Articles 13 to 17 of Regulation (EEC) No 1068/93 <sup>(3)</sup>.'

<sup>(3)</sup> OJ No L 108, 1. 5. 1993, p. 106.

#### *Article 2*

The following are hereby deleted:

- the last sentence of Article 6 of Regulation (EEC) No 2025/92,
- the last sentence of Article 6 of Regulation (EEC) No 2026/92,
- Article 10 of Regulation (EEC) No 2253/92,
- the second paragraph of Article 6 of Regulation (EEC) No 2826/92,
- the second paragraph of Article 6 of Regulation (EEC) No 2900/92, and
- the second paragraph of Article 6 of Regulation (EEC) No 2989/92.

#### *Article 3*

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 30 June 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 290, 6. 10. 1992, p. 6.

<sup>(2)</sup> OJ No L 300, 16. 10. 1992, p. 12.



COMMISSION REGULATION (EEC) No 2596/93

of 22 September 1993

amending Regulations (EEC) No 131/92, (EEC) No 1695/92 and (EEC) No 1696/92 concerning common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the French overseas departments, the Canary Islands, the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Articles 2 (6), 3 (5) and 4 (5) thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products<sup>(3)</sup>, as last amended by Commission Regulation (EEC) No 1974/93<sup>(4)</sup>, and in particular Articles 3 (4), 4 (4), 5 (2) and 6 (2) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(5)</sup>, as last amended by the abovementioned Commission Regulation (EEC) No 1974/93, and in particular Article 10 thereof,

Whereas Commission Regulations (EEC) No 131/92<sup>(6)</sup>, (EEC) No 1695/92<sup>(7)</sup> and (EEC) No 1696/92<sup>(8)</sup>, as last amended by Regulation (EEC) No 1707/93<sup>(9)</sup>, make provision in particular for the introduction of a Community system to check the measures taken so as to verify their sound execution; whereas this check is effected by means of information sent to the Commission relating to the quantities of agricultural products which have been the subject of licence applications;

Whereas the experience gained has shown that a more precise assessment of the quantities of agricultural products benefiting from the Community aid scheme could ensure better implementation of the supply balance and more accurate management of the budgetary commitments;

Whereas the operators concerned may find supplies on the Community market or on the markets of non-

member countries; whereas, therefore, assessing the needs of the most remote regions must take into account this option even when calculating the amounts of Community aid to be granted; whereas these amounts may be established only by statistics and on the basis of the various aid rates to be applied; whereas, therefore, the statistical information which the national authorities send to the Commission must be broken down using the code for which the aid amount has been fixed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 7 of Regulation (EEC) No 131/92 is hereby replaced by the following:

*'Article 7*

1. France shall send the Commission no later than the last day of each month the following data relating to the previous month, by product and, where applicable, by individual destination:

- separately, the quantities which were the subject of applications for import licences and for "aid certificates",
- quantities actually imported from third countries,
- quantities actually introduced from the rest of the Community, using the code for which the aid amount is fixed,
- separately, the quantities and cases of non-utilization of import licences and of "aid certificates".

2. Applications for aid certificates and the information to be sent to the Commission on such applications shall be made using the code for which the aid amount is fixed.

However, where the aid amount is the same for several codes, the applications and "aid certificates" may be grouped together for all of the codes corresponding to the same amount of aid.'

(<sup>1</sup>) OJ No L 356, 24. 12. 1991, p. 1.  
(<sup>2</sup>) OJ No L 378, 23. 12. 1992, p. 23.  
(<sup>3</sup>) OJ No L 173, 27. 6. 1992, p. 13.  
(<sup>4</sup>) OJ No L 180, 27. 7. 1993, p. 26.  
(<sup>5</sup>) OJ No L 173, 27. 6. 1992, p. 1.  
(<sup>6</sup>) OJ No L 15, 22. 1. 1992, p. 13.  
(<sup>7</sup>) OJ No L 179, 1. 7. 1992, p. 1.  
(<sup>8</sup>) OJ No L 179, 1. 7. 1992, p. 6.  
(<sup>9</sup>) OJ No L 159, 1. 7. 1993, p. 75.

*Article 2*

Article 8 of Regulation (EEC) No 1695/92 is hereby replaced by the following :

*Article 8*

1. Spain shall send the Commission no later than the last day of each month the following data relating to the previous month, by product and, where applicable, by individual destination :

- separately, the quantities which were the subject of applications for import licences, for exemption certificates and for "aid certificates",
- quantities actually imported from third countries,
- quantities actually introduced from the rest of the Community, using the code for which the aid amount is fixed,
- separately, the quantities and cases of non-utilization of import licences, of exemption certificates and of "aid certificates".

2. Applications for "aid certificates" and the information to be sent to the Commission on such applications shall be made using the code for which the aid amount is fixed.

However, where the aid amount is the same for several codes, the applications and "aid certificates" may be grouped together for all of the codes corresponding to the same amount of aid.

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

Done at Brussels, 22 September 1993.

*Article 3*

Article 8 of Regulation (EEC) No 1696/92 is hereby replaced by the following :

*Article 8*

1. Portugal shall send the Commission no later than the last day of each month the following data relating to the previous month, by product and, where applicable, by individual destination :

- separately, the quantities which were the subject of applications for import licences and for "aid certificates",
- quantities actually imported from third countries,
- quantities actually introduced from the rest of the Community, using the code for which the aid amount is fixed,
- separately, the quantities and cases of non-utilization of import licences and of "aid certificates".

2. Applications for aid certificates and the information to be sent to the Commission on such applications shall be made using the code for which the aid amount is fixed.

However, where the aid amount is the same for several codes, the applications and "aid certificates" may be grouped together for all of the codes corresponding to the same amount of aid.

*Article 4*

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 October 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

COMMISSION DECISION

of 30 September 1993

on the definition of the measures eligible for Community financing in the programmes for the control of organisms harmful to plants or plant products in the French overseas departments, in the Azores and in Madeira

(Only the French and Portuguese texts are authentic)

(93/522/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Economic Community,

*Article 1*

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular the last sentence of the first subparagraph of Article 11 (3) thereof,

The measures in the programmes for the control of organisms harmful to plants or plant products that are eligible for Community financing, as referred to in the last sentence of the first subparagraph of Article 11 (3) of Council Regulation (EEC) No 3763/91 for the French overseas departments and in the last sentence of Article 33 (3) of Regulation (EEC) No 1600/92 for the Azores and Madeira, are defined in the Annex to this Decision.

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as last amended by Regulation (EEC) No 3714/92, and in particular the last sentence of Article 33 (3) thereof,

*Article 2*

The measures eligible for Community financing shall relate to all or part of the programmes for the control of harmful organisms as defined in Article 2 (1) (e) of Directive 77/93/EEC.

Whereas Council Directive 77/93/EEC<sup>(4)</sup>, as last amended by Directive 93/19/EEC<sup>(5)</sup>, lays down protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community;

*Article 3*

The Community's financial contribution toward programmes for the control of organisms harmful to plants or plant products shall be decided on an annual basis and shall each year concern only measures that have led or will lead to expenditure during the six-month period preceding the date of notification of the Commission decisions concerning the Community's annual contribution to the financing of programmes for the control of harmful organisms for the benefit of the French overseas departments, the Azores and Madeira respectively and the period between the date of notification of those decisions and 31 December of the year of notification.

Whereas the plant health of agricultural crops in the French overseas departments, in the Azores and in Madeira is subject to particular problems associated with the climate and the inadequacy of the control measures hitherto applied there; whereas programmes should be implemented to combat organisms harmful to plants or plant products in the Community's remoter regions; whereas the Community's financial contribution towards such programmes should be specified;

Whereas only certain eligible measures among the measures carried out by the Member States in question are affected by the Community's financial contribution;

*Article 4*

The provisions of this Decision may be re-examined in the light of annual reports drawn up by France and Portugal and addressed to the Commission on the functioning of the programmes for control specific to the French overseas departments, to the Azores and to Madeira respectively.

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

(<sup>1</sup>) OJ No L 356, 24. 12. 1991, p. 1.

(<sup>2</sup>) OJ No L 378, 23. 12. 1992, p. 23.

(<sup>3</sup>) OJ No L 173, 27. 6. 1992, p. 1.

(<sup>4</sup>) OJ No L 26, 31. 1. 1977, p. 20.

(<sup>5</sup>) OJ No L 96, 22. 4. 1993, p. 33.

*Article 5*

This Decision is addressed to the French Republic and the Portuguese Republic.

Done at Brussels, 30 September 1993.

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

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ANNEX

**MEASURES ELIGIBLE FOR COMMUNITY FINANCING IN PROGRAMMES FOR THE CONTROL OF ORGANISMS HARMFUL TO PLANTS OR PLANT PRODUCTS IN THE FRENCH OVERSEAS DEPARTMENTS AND IN THE AZORES AND IN MADEIRA**

**I. Measures concerning knowledge of the local phytosanitary situation**

- Official studies and surveys in order to have a better knowledge of the local situation as regards harmful organisms :
  - mapping of harmful organisms,
  - evaluation of the economic impact of harmful organisms,
  - evaluation of the risk of evolution of harmful organisms.
- Studies and surveys in order to maintain surveillance of zones which are to be protected against the introduction of harmful organisms.

**II. Preventive measures against organisms harmful to plant or plant products**

- Preventive measures taken in respect of plants, plant products and other objects suspected of being contaminated.
- Inspections on farms intended to ensure compliance of plants or plant products with the phytosanitary requirements.
- Organization of official phytosanitary survey and alert networks against the contamination of crops by harmful organisms.
- Official laboratory or field experiments in order to look for means to avoid or limit the damage caused by harmful organisms :
  - search for resistant varieties,
  - search for methods of chemical or biological control or prophylactic methods,
  - studies on biology of harmful organisms.
- Perfecting diagnosis methods for harmful organisms.

**III. Curative measures against organisms harmful to plants or plant products**

- Implementation of official programmes for collective control of organisms harmful to crops and natural flora, including forests, covering the purchase of equipment and the operating expenses brought about by such programmes.
- Curative measures taken in respect of plants and plant products :
  - destruction,
  - fumigation, treatment,
  - laboratory tests.

**IV. Measures of technical support to programmes for the control of organisms harmful to plants and plant products**

- Equipment and functioning of laboratories carrying out diagnosis or determination of harmful organisms for the official authorities of the remoter regions.
  - Contribution to the setting up and functioning of production units for biological control.
  - Contribution to the setting up and functioning of installations for fumigation and storage of plants and plant products submitted to plant health checks.
  - Recruitment of staff for carrying out the control programmes.
  - Equipment of staff in charge of carrying out the official control programmes, particularly including the means of overland transport to the places involved.
  - Technical training of the staff in charge of carrying out the control programmes.
  - Carrying out of official information campaigns for farmers on collective and individual methods of control of harmful organisms, including :
    - setting up and development of phytosanitary information networks (any form),
    - organization of training sessions for farmers.
  - Organization of official information meetings with farmers and organizations affected by the control programmes.
-

COMMISSION DECISION

of 11 October 1993

on the Community's financial contribution to programmes for the control of organisms harmful to plants and plant products in the French overseas departments for 1993

(Only the French text is authentic)

(93/542/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

*Article 1*

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 11 thereof,

The Community's financial contribution to the official programme for the control of organisms harmful to plants and plant products in the French overseas departments presented for 1993 by France is hereby approved.

*Article 2*

Whereas Commission Decision 93/522/EEC<sup>(3)</sup> defines what measures are eligible for Community financing as regards programmes for the control of organisms harmful to plants and plant products in the French overseas departments, the Azores and Madeira;

The official programme is made up of four sub-programmes:

Whereas agricultural production conditions in the French overseas departments call for particular attention, and action must be taken or stepped up as regards crop production, and in particular its phytosanitary aspects;

1. a sub-programme drawn up for the department of Guadeloupe in five parts:

- reinforcement of the work of the FDGCEC (Departmental Federation of Anti-Crop Pest Groups),
- control of yam anthracnose,
- a fruit-fly survey,
- the establishment of flower quarantine facilities;

Whereas the action to be taken or stepped up on the phytosanitary side is exceptionally costly;

2. sub-programme drawn up for the department of Guiana in six parts:

- the establishment of a phytosanitary observation and surveillance network,
- reinforcing the work of anti-crop pest groups,
- development of control methods for harmful nematodes,
- publication of a phytosanitary products compendium,
- a preliminary study on fruit flies,
- manioc and control;

Whereas the programme of action is to be presented to the Commission by the relevant French authorities; whereas the programme specifies the objectives to be achieved, the measures to be carried out, their duration and their cost so that the Community may contribute to financing them;

3. sub-programme for the department of Réunion in four parts:

- the establishment of a phytosanitary analysis unit,
- pesticide residue analysis,
- fruit-fly control,
- reinforcement of the resources of the FDGCEC;

Whereas the Community's financial contribution may cover up to 60 % of eligible expenditure, protective measures for bananas being excluded;

Whereas the provisions of this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 251, 8. 10. 1993, p. 35.

4. sub-programme for the department of Martinique in five parts :

- development of detection methods for harmful organisms,
- development of integrated control in market gardens,
- a fruit-fly survey,
- reinforcement of the resources of communal anti-crop pest groups,
- establishment and operation of a pesticide residue analysis laboratory.

This programme applies to the period ending 31 December 1993.

#### *Article 3*

The Community contribution to financing the programme, covering a part of the financing of eligible actions as defined by Commission Decision 93/522/EEC, is limited to 60 % maximum of the real eligible expenditure and is set for 1993 at ECU 1 052 300 out of a total expenditure of ECU 1 781 300 (VAT excluded).

The schedule of programme costs and their financing is set out in Annex I. Should the total eligible expenditure presented by France for 1993 be less than the forecast amount of ECU 1 781 300, the Community's contribution shall be reduced proportionately.

All the expenditure forecasts are given in ecu at 1993 prices. For 1993, the ECU rate shall be fixed and the rate that shall be applied shall be that prevailing on 1 June 1993, namely ECU 1 = FF 6,588490.

#### *Article 4*

An advance of ECU 631 380, amounting to 60 % of the Community contribution, shall be paid to France.

#### *Article 5*

The Community assistance shall be for eligible action in connection with operations covered by the programme for which provisions have been enacted in France for which the necessary financial resources have been specifically committed at the latest during a period running from a date six months before the date of notification of this Decision to 31 December 1993. The final date for payments in connection with these operations shall be 1 June 1994, and non-compliance with time limits without justification of delay shall occasion loss of entitlement to Community financing.

#### *Article 6*

Specific provisions relating to the financing of the programme, provisions on compliance with Community policies and the information to be supplied to the Commission by the Member State are set out in Annex II.

#### *Article 7*

Public contracts in connection with investments covered by this Decision must be awarded in compliance with Community law, in particular the Directives coordinating procedures for awarding public works and supply contracts, and Articles 30, 52 and 59 of the Treaty.

#### *Article 8*

This Decision is addressed to the French Republic.

Done at Brussels, 11 October 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

ANNEX 1

FINANCIAL TABLE FOR 1993

(ECU 000)

	Eligible expenses 1993						Total			
	Functioning			Investments			Total	EEC	National	Total
	EEC	National	Total	EEC	National	Total				
Guadeloupe	143,6	96,4	240,0	179,5	127,2	306,7	323,2	223,6	546,8	
Martinique	192,9	183,8	376,7	75,4	70,7	146,1	268,3	254,4	522,7	
Guiana	113,7	89,5	203,2	80,1	3,6	83,7	193,7	93,2	286,9	
Reunion	242,8	157,8	400,6	24,3	0,0	24,3	267,1	157,8	424,9	
<b>Total</b>	<b>693,0</b>	<b>527,5</b>	<b>1 220,5</b>	<b>359,3</b>	<b>201,5</b>	<b>560,8</b>	<b>1 052,3</b>	<b>729,0</b>	<b>1 781,3</b>	



ANNEX II

I. PROVISIONS ON THE IMPLEMENTATION OF THE PROGRAMME

A. Provisions on the financial implementation

1. The Commission's intention is to establish real cooperation with the authorities responsible for the implementation of the programme. In line with the programme these authorities are those indicated below.

*Commitment and payments*

2. France guarantees that, for all action co-financed by the Commission, all public and private bodies involved in its management and implementation shall keep accounts in standard form of all transactions in order to facilitate monitoring of expenditure by the Community and the national authorities responsible for surveillance.
3. The initial budgetary commitment shall be based on an indicative financial plan; this commitment shall be made for one year.
4. The commitment will be made when the decision approving assistance is adopted by the Standing Committee on Plant Health under the procedure mentioned in Article 16a of Council Directive 77/93/EEC<sup>(1)</sup>.
5. Following commitment a first advance of not more than 60 % of the amount committed may be made.
6. The balance of the amount committed is paid as two equal payments, each of 20 % of the total amount committed. The first part of the balance is paid upon presentation to the Commission of an interim report of activity. The second and final part of the balance is paid upon presentation to the Commission of the detailed total expenditure made and of the final report activity.

*Authorities responsible for the implementation of the programme*

— Central administration :

Ministère de l'agriculture et de la pêche  
Direction générale de l'alimentation  
Sous-direction de la protection des végétaux  
175 rue du Chevaleret  
75646 PARIS CEDEX 13

-- Local administration :

— Guadeloupe :

Ministère de l'agriculture et de la pêche  
Direction de l'agriculture et de la forêt  
Jardin botanique  
97109 BASSE TERRE CEDEX

— Martinique :

Ministère de l'Agriculture et de la pêche  
Direction de l'Agriculture et de la forêt  
Jardin Desclieux  
BP 642  
97262 FORT DE FRANCE CEDEX

— Guiana :

Ministère de l'agriculture et de la pêche  
Direction de l'agriculture et de la forêt  
Cité Rebard  
Route de Baduel  
BP 746  
97305 CAYENNE CEDEX

— Réunion :

Ministère de l'agriculture et de la pêche  
Direction de l'agriculture et de la forêt  
Parc de la Providence  
97489 SAINT DENIS DE LA REUNION

<sup>(1)</sup> OJ No L 26, 31. 1. 1977, p. 20.

7. The actual expenditure incurred shall be notified to the Commission broken down by type of action or sub-programme in a way demonstrating the link between the indicative financial plan and expenditure actually incurred. If France keeps suitable computerized accounts this will be acceptable.
8. All payments of aid granted by the Commission under this Decision shall be made to the authority designated by France, which will also be responsible for repayment to the Commission of any excess amount.
9. All commitments and payments shall be made in ecu.

Financial schedules for Community support frameworks and amounts of Community aid shall be expressed in ecu at the rate fixed by this Decision. Payment shall be made to the following account :

Ministère du budget  
Direction de la comptabilité publique  
Agence comptable centrale du Trésor  
139 rue de Bercy  
75572 PARIS CEDEX 12  
N° 47598.

*Financial control*

10. Inspections may be carried out by the Commission or the Court of Auditors should it so request. France and the Commission shall immediately exchange all relevant information in regard to the outcome of an inspection.
11. For three years following the last payment relating to the assistance the authority responsible for implementation shall keep available to the Commission all documentary evidence of expenditure incurred.
12. When it submits applications for payment France shall make available to the Commission all official reports relating to supervision of the measures in question.

*Reduction, suspension and withdraw of aid*

13. France and the recipients of aid shall declare that Community funds are used for the intended purposes. If implementation of a measure appears to require only part of the financial assistance allotted the Commission shall immediately recover the amount due. In cases of dispute the Commission shall examine the case within the partnership framework, asking France or the other authorities designated by France for implementation of the measure to submit their comments within two months.
14. The Commission may reduce or suspend aid for a measure if the examination confirms the existence of an irregularity, in particular of a substantial modification affecting the nature or conditions of implementation of the measure for which approval by the Commission has not been sought.

*Recovery of undue payments*

15. All sums unduly paid must be reimbursed to the Commission by the designated authority indicated in point 8. Interest may be levied on sums not reimbursed. If for any reason the designated authority indicated in point 8 does not reimburse the Community, France shall pay the amount to the Commission.

*Prevention and detection of irregularities*

16. The partners shall observe a code of conduct drawn up by France in order to ensure that any irregularity in the provision of the assistance programme is detected. France shall ensure that :
  - suitable action is taken in this area,
  - any amount unduly paid as a result of an irregularity is recovered,
  - action is taken to prevent irregularities.

**B. Monitoring and assessment**

*1. Monitoring Committee*

1. Establishment

Independent of the financing of this action, a Monitoring Committee for the operational programme shall be set up by France and the Commission. It shall review implementation of the programme every three months and, in appropriate cases, propose any adjustments required.

2. The composition, operation and frequency of meetings of the Committee shall be decided within three months of its establishment.

### 3. Competence of Monitoring Committee

#### The Committee :

- shall have as its general responsibility the satisfactory progress of the operational programme towards attainment of the objectives set. Its competence shall embrace the programme measures within the limits of the Community aid granted. It shall keep watch on respect for the regulatory provisions, including those on eligibility of operations and projects,
- shall, on the basis of information on the selection of projects already approved and implemented, reach an opinion on application of the selection criteria set out in the operational programme,
- shall propose any action required to accelerate implementation of the programme in the light of the information furnished periodically by the interim monitoring and assessment indicators,
- may, in agreement with the Commission representative(s), adjust the financing plans within a limit of 15 % of the Community contribution to a sub-programme or measure for the entire period, or 20 % for any year, provided that the total amount scheduled in the operational programme is not exceeded. Care must be taken to see that the main objectives of the operational programme are not thereby compromised,
- shall give its opinion on the adjustments proposed to the Commission,
- shall issue an opinion on technical assistance projects scheduled in the operational programme,
- shall give its opinion on draft annual implementation reports,
- shall report regularly to the Standing Committee on Plant Health on the progress of the programme and expenditure incurred, at least twice a year.

### II. *Monitoring and assessment of the operational programme during the implementation period( continuous monitoring and assessment)*

1. The national agency responsible for implementation shall also be responsible for continuous monitoring and assessment of the operational programme.
2. Continuous monitoring means an information system on the state of progress of the programme. Continuous monitoring will cover the measures contained in the operational programme. It involves reference to the financial and physical indicators structured so as to permit assessment of the correspondence between expenditure on each measure and predefined physical indicators showing the degree of realization.
3. Continuous assessment of an operational programme will involve analysis of the quantitative results of implementation on the basis of operational, legal and procedural considerations. The purpose is to guarantee correspondence between measures and programme objectives.

#### *Implementation report and scrutiny of operational programmes*

4. France shall notify to the Commission, within three months of adoption of the operational programme, the name of the authority responsible for compilation and presentation of the annual implementation report. Three months after its appointment this authority shall present to the Commission a proposal for standard presentation of implementation reports.

The annual report on the present programme will be presented by the competent authority to the Commission and to the Standing Committee on Plant Health before 31 March 1994. On the basis of the information therein France will be able if appropriate to apply for a new programme for future years.

5. The Commission may jointly with France call in an independent assessor who shall, on the basis of the continuous monitoring, carry out the continuous assessment defined at 3 above. He may submit proposals for adjustment of the sub-programmes and/or measures, modification of the selection criteria for projects, etc., in the light of difficulties encountered in the course of implementation. On the basis of monitoring of management he shall issue an opinion on the administrative measures to be taken. To guarantee the assessor's impartiality the Commission will not pay the entire cost of employing him.

### III. *Retrospective assessment of economic impact*

The final report shall contain a concise evaluation of the entire programme (degree of achievement of physical and qualitative objectives and of progress accomplished). A first assessment of the immediate phytosanitary and economic impact should be made on the basis of the indicators agreed.

### C. Information and publicity

In the framework of this action, the agency appointed as responsible for the programme shall ensure that it is adequately publicized.

It shall in particular take action to :

- make potential recipients and professional organizations aware of the possibilities offered under the programme measures,
- make the general public aware of the Community's role in the programme.

France and the agency responsible for implementation shall consult the Commission on initiatives envisaged in this area, possibly through the Monitoring Committee. They shall regularly notify the Commission of information and publicity measures adopted, either by an annual report or through the Monitoring Committee.

The national legal provisions on confidentiality of information shall be complied with.

## II. COMPLIANCE WITH COMMUNITY POLICIES

Community policies applying in this field must be complied with.

The operational programme shall be implemented in accordance with the provisions on coordination of and compliance with Community policies. The following information must be supplied by France.

### 1. Award of public contracts

The 'public contracts' (\*) questionnaire must be completed for :

- public contracts above the ceilings set by the 'supplies' and 'works' Directives that are awarded by contract-awarding authorities as defined in these Directives and are not covered by the exemptions specified therein,
- public contracts below these ceilings where they constitute components of a single piece of work or of uniform supplies of a value above the ceiling. By 'a single piece of work' is meant a product of building or civil engineering works intended in itself to fulfil an economic or technical function.

The ceilings at present in force are as follows :

— Supplies :

- ECU 200 000 for public contracts not covered by the GATT Agreement,
- ECU 130 000 for contracts covered by that Agreement ;

— Works :

- ECU 100 000 until the adoption of national transposition measures for the new Council Directive 89/440/EEC (†) raising the ceiling to ECU 5 000 000.

Questionnaires duly completed for each contract awarded must be sent by the national authority :

- either at the time when the aid application is forwarded by the Member State, if all the contracts have already been awarded at the time when the aid application is drawn up, by the authority/authorities concerned.

### 2. Protection of the environment

(a) *General information :*

- description of the main environmental features and problems of the region concerned, giving a description of the important conservation areas (sensitive zones),
- a comprehensive description of the major beneficial and harmful effects that the programme, given the investments planned, is likely to have on the environment,
- a description of the action planned to prevent, reduce or offset any serious harmful effects on the environment,

(\*) Notice C(88) 2510 to the Member States, on monitoring of compliance with procurement rules in the case of projects and programmes financed by the Structural Funds and financial instruments (OJ No C 22, 16. 1. 1989, p. 3).

(†) OJ No L 210, 21. 7. 1989, p. 1.

- a report on consultations with the responsible environmental authorities (opinion of the Ministry of the Environment or its equivalent) and, if there were any such consultations, with the public concerned.

(b) *Description of planned activities*

For programme measures liable to have a significantly harmful effect on the environment :

- the procedures which will be applied for assessing individual projects during implementation of the programme,
  - the mechanisms planned for monitoring environmental impact during implementation, assessing results and eliminating, reducing or offsetting harmful effects.
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## **Part 2: FODs**

**B — Cereals**





COMMISSION REGULATION (EEC) No 191/93  
of 29 January 1993  
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply  
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91  
of 16 December 1991 introducing specific measures in  
respect of certain agricultural products for the benefit of  
the French overseas departments<sup>(1)</sup>, as amended by Regu-  
lation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6)  
thereof,

Whereas the amounts of aid for the supply of cereals  
products to the French overseas departments (FOD) has  
been settled by Commission Regulation (EEC)  
No 391/92<sup>(3)</sup>, as last amended by Regulation (EEC)  
No 3672/92<sup>(4)</sup>; whereas, as a consequence of the changes  
of the rates and prices for cereals products in the Euro-  
pean part of the Community and on the world market,

the aid for supply to the FOD should be set at the  
amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of Regulation (EEC) No 391/92 is replaced by  
the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 February 1993.

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

Done at Brussels, 29 January 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.  
<sup>(4)</sup> OJ No L 370, 19. 12. 1992, p. 59.

ANNEX

to the Commission Regulation of 29 January 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	66,00	66,00	66,00	69,00
Barley (1003 00 90)	83,00	83,00	83,00	86,00
Maize (1005 90 00)	100,00	100,00	100,00	103,00

COMMISSION REGULATION (EEC) No 445/93  
of 26 February 1993  
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply  
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91  
of 16 December 1991 introducing specific measures in  
respect of certain agricultural products for the benefit of  
the French overseas departments <sup>(1)</sup>, as amended by Regu-  
lation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6)  
thereof,

Whereas the amounts of aid for the supply of cereals  
products to the French overseas departments (FOD) has  
been settled by Commission Regulation (EEC)  
No 391/92 <sup>(3)</sup>, as last amended by Regulation (EEC)  
No 191/93 <sup>(4)</sup>; whereas, as a consequence of the changes  
of the rates and prices for cereals products in the Euro-  
pean part of the Community and on the world market,

the aid for supply to the FOD should be set at the  
amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of Regulation (EEC) No 391/92 is replaced by  
the Annex to the present Regulation.

*Article 2*

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, 26 February 1993.

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

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<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.  
<sup>(4)</sup> OJ No L 22, 30. 1. 1993, p. 89.

ANNEX

to the Commission Regulation of 26 February 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	64,00	64,00	64,00	67,00
Barley (1003 00 80)	84,00	84,00	84,00	87,00
Maize (1005 90 00)	99,00	99,00	99,00	102,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EEC) No 688/93  
of 25 March 1993

amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing the forecast supply balance

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas Commission Regulation (EEC) No 388/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 445/93<sup>(4)</sup>, establishes, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for cereal products for the FOD; whereas this balance allows for interchange of the quantities determined for some of the products concerned and, if necessary, for an increase during the year in the overall quantity determined; whereas, in the light of experience and in order to meet malt requirements in the FOD, it is necessary to adjust the forecast supply balance; whereas the Annex to Regulation (EEC) No 388/92 should therefore be amended;

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

Done at Brussels, 25 March 1993.

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex to Regulation (EEC) No 388/92 is hereby replaced by the Annex to this Regulation.

*Article 2*

By way of derogation from Article 4 (1) of Regulation (EEC) No 388/92, applications for aid certificates for the supply of barley malt of Community origin may be submitted on all working days of each month.

*Article 3*

This Regulation shall enter into force on 1 April 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 16.  
<sup>(4)</sup> OJ No L 49, 27. 2. 1993, p. 29.

ANNEX

CEREALS SUPPLY BALANCE FOR THE FOD FOR 1993

First half of 1993

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or the Community	Common wheat	Durum wheat	Barley	Maize	Durum wheat groats and meal	Barley malt
Guadeloupe	36 000	0	5 000	10 000	—	750
Martinique	5 000	0	2 000	13 000	1 500	500
French Guiana	1 000	0	500	1 000	—	—
Réunion	20 000	0	10 000	80 000	—	1 000
<b>Total</b>	<b>62 000</b>	<b>0</b>	<b>17 500</b>	<b>104 000</b>	<b>1 500</b>	<b>2 250</b>

187 250

Second half of 1993

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or the Community	Common wheat	Durum wheat	Barley	Maize	Durum wheat groats and meal	Barley malt
Guadeloupe	36 000	0	5 000	10 000	—	750
Martinique	5 000	0	2 000	13 000	1 500	500
French Guiana	1 000	0	500	1 000	—	—
Réunion	20 000	0	10 000	80 000	—	1 000
<b>Total</b>	<b>62 000</b>	<b>0</b>	<b>17 500</b>	<b>104 000</b>	<b>1 500</b>	<b>2 250</b>

187 250

COMMISSION REGULATION (EEC) No 710/93

of 26 March 1993

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EEC) No 445/93 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex of Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 26 March 1993.

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

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 49, 27. 2. 1993, p. 29.

ANNEX

to the Commission Regulation of 26 March 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	69,00	69,00	69,00	72,00
Barley (1003 00 80)	89,00	89,00	89,00	92,00
Maize (1005 90 00)	95,00	95,00	95,00	98,00
Durum wheat (1001 10 00)	130,50	130,50	130,50	133,50



COMMISSION REGULATION (EEC) No 786/93

of 31 March 1993

amending Regulations (EEC) No 2027/92, (EEC) No 1961/92 and (EEC) No 1962/92 concerning aid for the supply of certain cereal products of Community origin respectively to the French overseas departments, the Azores and Madeira, and the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products<sup>(4)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 3 (4) thereof,

Whereas, pursuant to Article 2 (3) of Regulation (EEC) No 3763/91, Commission Regulation (EEC) No 2027/92<sup>(5)</sup> fixes the amount of aid for the supply to the French overseas departments (FOD) of groats and meal of durum wheat of Community origin; whereas such aid is fixed at an amount equal to the export refund for the products in question plus a fixed component to take account of small deliveries;

Whereas, pursuant to Article 3 of Regulation (EEC) No 1600/92, Commission Regulation (EEC) No 1961/92<sup>(6)</sup> fixes the amount of aid for the supply to the Azores and Madeira of malt of Community origin; whereas such aid is fixed at an amount equal to the export refund for the products in question plus a fixed component to take account of small deliveries;

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, Commission Regulation (EEC) No 1962/92<sup>(7)</sup> fixes the amount of aid for the supply to

the Canary Islands of malt, and groats and meal of durum wheat of Community origin; whereas such aid is fixed at an amount equal to the export refund for the product in question plus a fixed component to take account of small deliveries;

Whereas export refunds for malt, and groats and meal of durum wheat are fixed, during certain periods of each marketing year, by reference to the prices for cereals and cereal products on the Community market and on the world market; whereas, during other periods, the refunds remain fixed at a non-operational level; whereas, owing to this seasonal aspect, during the latter periods, the amount of supply aid calculated in this way means that Community products are not competitive in relation to products originating in third countries; whereas this method of calculating aid should therefore be altered;

Whereas Commission Regulation No 162/67/EEC of 23 June 1967 on the method of fixing the export refund on flour, groats and meal of wheat and of rye and malt<sup>(8)</sup>, as last amended by Regulation (EEC) No 468/92<sup>(9)</sup>, fixes the quantities of the various basic products necessary for the manufacture of 1 000 kg of the corresponding processed products;

Whereas Commission Regulations (EEC) No 391/92<sup>(10)</sup>, (EEC) No 1832/92<sup>(11)</sup> and (EEC) No 1833/92<sup>(12)</sup>, as last amended by Regulations (EEC) No 445/93<sup>(13)</sup>, (EEC) No 447/93<sup>(14)</sup> and (EEC) No 446/93<sup>(15)</sup>, respectively, fix the amount of aid for the supply of basic cereal products of Community origin to the FOD, the Canary Islands and the Azores and Madeira respectively;

Whereas, in order to prevent the seasonal variation of export refunds for processed products, the calculation of the amount of aid should be based, on the one hand, on the amount of the aid in force for the basic product and, on the other, on the quantities necessary for the manufacture of the processed products, as specified in Regulation No 162/67/EEC; whereas Regulations (EEC) No 2027/92, (EEC) No 1961/92 and (EEC) No 1962/92 fixing the

(<sup>1</sup>) OJ No L 356, 24. 12. 1991, p. 1.  
(<sup>2</sup>) OJ No L 378, 23. 12. 1992, p. 23.  
(<sup>3</sup>) OJ No L 173, 27. 6. 1992, p. 1.  
(<sup>4</sup>) OJ No L 173, 27. 6. 1992, p. 13.  
(<sup>5</sup>) OJ No L 207, 23. 7. 1992, p. 21.  
(<sup>6</sup>) OJ No L 197, 16. 7. 1992, p. 44.  
(<sup>7</sup>) OJ No L 197, 16. 7. 1992, p. 45.

(<sup>8</sup>) OJ No 128, 27. 6. 1967, p. 2574/67.  
(<sup>9</sup>) OJ No L 53, 28. 2. 1992, p. 15.  
(<sup>10</sup>) OJ No L 43, 19. 2. 1992, p. 23.  
(<sup>11</sup>) OJ No L 185, 4. 7. 1992, p. 26.  
(<sup>12</sup>) OJ No L 185, 4. 7. 1992, p. 28.  
(<sup>13</sup>) OJ No L 49, 27. 2. 1993, p. 29.  
(<sup>14</sup>) OJ No L 49, 27. 2. 1993, p. 33.  
(<sup>15</sup>) OJ No L 49, 27. 2. 1993, p. 32.

amount of aid for the supply respectively to the FOD, the Azores and Madeira, and the Canary Islands of certain cereal products of Community origin should therefore be amended;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

Article 2 of Regulation (EEC) No 2027/92 is hereby replaced by the following :

*Article 2*

1. Aid for the supply to the FOD of groats and meal of durum wheat falling within CN code 1103 11 50 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the FOD concerned of durum wheat of Community origin by the coefficient 1,5.

2. Aid for the supply to the FOD of malt of barley falling within CN code 1107 10 99 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the FOD concerned of barley of Community origin plus ECU 10 per tonne, by the coefficient 1,3.'

*Article 2*

Article 1 of Regulation (EEC) No 1961/92 is hereby replaced by the following :

*Article 1*

Aid for the supply to the Azores and Madeira of malt of barley falling within CN code 1107 10 99 manufactured from cereals processed elsewhere in the

Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the Azores and Madeira of barley of Community origin plus ECU 10 per tonne, by the coefficient 1,3.'

*Article 3*

Article 2 of Regulation (EEC) No 1962/92 is hereby replaced by the following :

*Article 2*

1. Aid for the supply to the Canary Islands of groats and meal of durum wheat falling within CN code 1103 11 50 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the Canary Islands of durum wheat of Community origin by the coefficient 1,5.

2. Aid for the supply to the Canary Islands of malt of barley falling within CN code 1107 10 99 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the Canary Islands of barley of Community origin plus ECU 10 per tonne, by the coefficient 1,3.

3. Aid for the supply to the Canary Islands of products falling within CN code 1702, but not including products falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, manufactured elsewhere in the Community shall be equal to the export refund in force for those products plus ECU 3 per tonne.'

*Article 4*

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

COMMISSION REGULATION (EEC) No 1299/93

of 28 May 1993

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 1042/93<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 June 1993.

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

Done at Brussels, 28 May 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.  
<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 33.

ANNEX

to the Commission Regulation of 28 May 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat {1001 90 99}	79,00	79,00	79,00	82,00
Barley {1003 00 80}	101,00	101,00	101,00	104,00
Maize {1005 90 00}	101,50	101,50	101,50	104,50
Durum wheat {1001 10 00}	139,00	139,00	139,00	142,00

COMMISSION REGULATION (EEC) No 1497/93

of 18 June 1993

amending Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 laying down detailed implementing rules for the specific measures for supplying the French overseas departments, the Azores, Madeira and the Canary Islands with cereal products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands relating to certain agricultural products<sup>(4)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 3 (4) thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(5)</sup>, and in particular Article 26 (3) thereof,

Whereas Article 6 of Commission Regulations (EEC) No 388/92<sup>(6)</sup>, as last amended by Regulation (EEC) No 688/93<sup>(7)</sup>, (EEC) No 1727/92<sup>(8)</sup>, as amended by Regulation (EEC) No 686/93<sup>(9)</sup>, and (EEC) No 1728/92<sup>(10)</sup>, as last amended by Regulation (EEC) No 687/93<sup>(11)</sup>, provides for the adjustment of the amount of aid granted on the basis of the difference in the threshold price of the cereal in question between the month in which aid certificates are applied for and the month in which each entry on the certificate has been made; whereas the entry on the certificate is made in accordance with Article 3 (6) of Commission Regulation (EEC) No 131/92<sup>(12)</sup>, as amended by Regulation (EEC) No 2132/92<sup>(13)</sup>, as regards the French overseas departments and in accordance with Article 4 (7) of Commission Regulations (EEC)

No 1695/92<sup>(14)</sup>, as amended by Regulation (EEC) No 2132/92, and (EEC) No 1696/92<sup>(15)</sup>, as amended by Regulation (EEC) No 2132/92, as regards the Canary Islands and the Azores and Madeira respectively; whereas the entry on the 'aid' certificate is made at the destination by the local authorities on presentation of the products to which it refers;

Whereas there is a significant reduction in common prices with effect from the 1993/94 marketing year; whereas as a result of the time needed for consignments to reach the French overseas departments, the Azores, Madeira and the Canary Islands from the continental part of the Community, this adjustment is likely to penalize operators having supply commitments at the end of the marketing year; whereas it is therefore vital to derogate from these provisions in order to facilitate the transition from the 1992/93 to the 1993/94 marketing year;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The adjustment provided for in Article 6 of Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 shall not apply if the operator provides proof to the satisfaction of the competent authorities in the destination region that the cereals and cereal products presented for entry on the aid certificate were dispatched prior to 1 July 1993.

Proof shall be provided by the bill of lading or another transport document presenting sufficient guarantee, duly drawn up at the time of dispatch.

*Article 2*

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

(1) OJ No L 356, 24. 12. 1991, p. 1.  
(2) OJ No L 378, 23. 12. 1992, p. 23.  
(3) OJ No L 173, 27. 6. 1992, p. 1.  
(4) OJ No L 173, 27. 6. 1992, p. 13.  
(5) OJ No L 181, 1. 7. 1992, p. 21.  
(6) OJ No L 43, 19. 2. 1992, p. 16.  
(7) OJ No L 73, 26. 3. 1993, p. 13.  
(8) OJ No L 179, 1. 7. 1992, p. 101.  
(9) OJ No L 73, 26. 3. 1993, p. 10.  
(10) OJ No L 179, 1. 7. 1992, p. 104.  
(11) OJ No L 73, 26. 3. 1993, p. 12.  
(12) OJ No L 15, 22. 1. 1992, p. 13.  
(13) OJ No L 213, 29. 7. 1992, p. 25.

(14) OJ No L 179, 1. 7. 1992, p. 1.  
(15) OJ No L 179, 1. 7. 1992, p. 6.

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

Done at Brussels, 18 June 1993.

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

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**COMMISSION REGULATION (EEC) No 1625/93**  
of 25 June 1993  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply  
of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91  
of 16 December 1991 introducing specific measures in  
respect of certain agricultural products for the benefit of  
the French overseas departments (\*), as amended by Regu-  
lation (EEC) No 3714/92 (\*\*), and in particular Article 2 (6)  
thereof,

Whereas the amounts of aid for the supply of cereals  
products to the French overseas departments (FOD) has  
been settled by Commission Regulation (EEC)  
No 391/92 (\*\*\*), as last amended by Regulation (EEC)  
No 1299/93 (\*\*\*\*); whereas, as a consequence of the changes  
of the rates and prices for cereals products in the Euro-  
pean part of the Community and on the world market,

the aid for supply to the FOD should be set at the  
amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is  
replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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(\*) OJ No L 356, 24. 12. 1991, p. 1.  
(\*\*) OJ No L 378, 23. 12. 1992, p. 23.  
(\*\*\*) OJ No L 43, 19. 2. 1992, p. 23.  
(\*\*\*\*) OJ No L 132, 29. 5. 1993, p. 32.

ANNEX

to the Commission Regulation of 25 June 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	45,00	45,00	45,00	48,00
Barley (1003 00 80)	51,00	51,00	51,00	54,00
Maize (1005 90 00)	102,00	102,00	102,00	105,00
Durum wheat (1001 10 00)	70,00	70,00	70,00	73,00



I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 1727/93  
of 30 June 1993**

**amending Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 of 30 June 1993 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments, the Azores and Madeira and the Canary Islands respectively and establishing the respective forecast supply balances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products<sup>(4)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 3 (4) thereof,

Whereas the quantities of products benefiting from the specific supply arrangements must be determined within the framework of periodic forecast supply balances which may be adjusted on the basis of the essential requirements of the markets and taking account of local production and traditional trade flows; whereas to ensure coverage of requirements in terms of quantity, price and quality and to ensure that the proportion of products supplied from the Community is preserved, the aid to be granted for products originating in the rest of the Community must be determined on terms equivalent, for the end user, to the advantage resulting from exemption from import duties on imports of products from third countries;

Whereas Commission Regulation (EEC) No 388/92<sup>(5)</sup>, as last amended by Regulation (EEC) No 1497/93<sup>(6)</sup>, establishes, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for cereal products for the French overseas departments; whereas this balance allows for interchange of the quantities determined for some of the products concerned and, if necessary, for an increase during the year in the overall quantity determined; whereas, in the light of experience and in order to meet the needs of the French overseas departments, it is necessary to adjust the forecast supply balance; whereas the Annex to Regulation (EEC) No 388/92 should therefore be amended;

Whereas Commission Regulation (EEC) No 1727/92<sup>(7)</sup>, as last amended by Regulation (EEC) No 1497/93, establishes, pursuant to Article 2 of Regulation (EEC) No 1600/92, the forecast supply balance for cereal products for the Azores and Madeira for 1992/93; whereas the forecast supply balance for the 1993/94 marketing year should accordingly be established;

Whereas Commission Regulation (EEC) No 1728/92<sup>(8)</sup>, as last amended by Regulation (EEC) No 1497/93, establishes, pursuant to Article 2 of Regulation (EEC) No 1601/92, the forecast supply balance for cereal products for the Canary Islands for 1992/93; whereas the forecast supply balance for the 1993/94 marketing year should accordingly be established;

Whereas the time limit for the submission of applications for aid certificates and the amount of the security to be lodged laid down in Article 4 (1) of Regulations (EEC) No 388/92 and (EEC) No 1727/92 respectively are fixed as the first five working days of each month in the case of the time limit and ECU 25/tonne in the case of the amount of the security; whereas the time limit and security are fixed as the first 10 working days and ECU 25/tonne respectively by the same Article of Regulation (EEC) No 1738/92; whereas in order to take account of

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 173, 27. 6. 1992, p. 1.  
<sup>(4)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(5)</sup> OJ No L 43, 19. 2. 1992, p. 16.  
<sup>(6)</sup> OJ No L 148, 18. 6. 1993, p. 13.  
<sup>(7)</sup> OJ No L 179, 1. 7. 1992, p. 101.  
<sup>(8)</sup> OJ No L 179, 1. 7. 1992, p. 104.

trade practices specific to certain processed products in the cereals sector provision should be made on the one hand for the option of submitting applications on any day of the month and, on the other hand, for reducing the amount of the security;

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*

Article 1 (2) of Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 is hereby replaced by the following :

'2. Without prejudice to any increase during the course of the financial year of the overall quantity fixed for cereals, the respective quantities fixed for one or other of the cereals in question may be exceeded by a maximum of 20 %, provided that the overall quantity is adhered to. Sorghum shall be treated as maize for the purposes of this Regulation'.

*Article 2*

The Annex to Regulation (EEC) No 388/92 is hereby replaced by Annex I to this Regulation.

The Annex to Regulation (EEC) No 1727/92 is hereby replaced by Annex II to this Regulation.

The Annex to Regulation (EEC) No 1728/92 is hereby replaced by Annex III to this Regulation.

*Article 3*

1. Article 4 (1) of Regulation (EEC) No 388/92 is hereby replaced by the following :

'1. Applications for licences and certificates shall be submitted to the competent authority during the first five working days of each month. However, applications for aid certificates for the supply of cereal products falling within CN codes 1103 and 1107 as well as products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53, of Community origin, as well as applications for aid certificates for the supply of cereals to the department of French Guiana, may be submitted on

any working day of each month. A licence or certificate application shall be admissible only if :

- (a) it does not exceed the maximum quantity available for each period during which applications must be lodged ;
- (b) prior to expiry of the time limit laid down for the submission of licence and certificate applications, proof has been provided that the party concerned has lodged a security of ECU 23 per tonne.'

2. Article 4 (1) of Regulation (EEC) No 1727/92 is hereby replaced by the following :

'1. Applications for licences and certificates shall be submitted to the competent authority during the first five working days of each month. However, applications for aid certificates for the supply of cereal products of Community origin falling within CN code 1107 may be submitted on any working day of each month. A licence or certificate application shall be admissible only if :

- (a) it does not exceed the maximum quantity available for each period during which applications must be lodged ;
- (b) prior to expiry of the time limit laid down for the submission of licence and certificate applications, proof has been provided that the party concerned has lodged a security of ECU 23 per tonne.'

3. Article 4 (1) of Regulation (EEC) No 1728/92 is hereby replaced by the following :

'1. Applications for licences and certificates shall be submitted to the competent authority during the first 10 working days of each month. However, applications for aid certificates for the supply of cereal products of Community origin falling within CN codes 1103 and 1107 may be submitted on any working day of each month. A licence or certificate application shall be admissible only if :

- (a) it does not exceed the maximum quantity available for each period during which applications must be lodged ;
- (b) prior to expiry of the time limit laid down for the submission of licence and certificate applications, proof has been provided that the party concerned has lodged a security of ECU 23 per tonne.'

*Article 4*

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 30 June 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

ANNEX I

CEREALS SUPPLY BALANCE FOR THE FRENCH OVERSEAS DEPARTMENTS FOR THE SECOND HALF OF 1993

<i>(tonnes)</i>						
Cereals originating in third countries (ACP/developing countries or EEC)	Common wheat	Durum wheat	Barley	Maize	Durum wheat groats and meal	Malt
Guadeloupe	40 000	0	5 000	10 000	—	750
Martinique	5 000	0	2 000	13 000	1 500	500
French Guiana	1 000	0	500	1 000	—	—
Réunion	20 000	0	10 000	80 000	—	1 000
Total	66 000	0	17 500	104 000	1 500	2 250
General total	191 250					

ANNEX II

CEREALS SUPPLY BALANCE FOR THE AZORES AND MADEIRA FOR THE 1993/94 MARKETING YEAR

<i>(tonnes)</i>		
Product	Azores	Madeira
Common wheat of bread making quality	34 000	23 000
Feed wheat	4 000	8 000
Barley	12 000	6 000
Durum wheat	3 000	7 000
Maize	96 000	30 000
Malt	1 000	2 200
Total	150 000	76 200

ANNEX III

CEREALS SUPPLY BALANCE FOR THE CANARY ISLANDS FOR THE 1993/94 MARKETING YEAR

<i>(tonnes)</i>		
Product	CN code	Canary Islands
Common wheat	1001	124 000
Durum wheat	1001 10	4 000
Barley	1003	19 000
Oats	1004	1 000
Maize	1005	180 000
Durum wheat meal	1103 11 50	4 300
Maize meal	1103 13	20 000
Meal of other cereals	1103 19	1 200
Pellets	1103 21 to 1103 29	1 500
Malt	1107	16 500

COMMISSION REGULATION (EEC) No 2300/93

of 18 August 1993

amending Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 laying down detailed implementing rules for the specific measures for supplying the French overseas departments, the Azores, Madeira and the Canary Islands with cereal products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands relating to certain agricultural products<sup>(4)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 3 (4) thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(5)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(6)</sup>, and in particular Article 26 (3) thereof,

Whereas Article 6 of Commission Regulations (EEC) No 388/92<sup>(7)</sup>, (EEC) No 1727/92<sup>(8)</sup> and (EEC) No 1728/92<sup>(9)</sup>, as last amended by Regulation (EEC) No 1727/93<sup>(10)</sup>, provides for the adjustment of the amount of aid granted on the basis of the difference in the threshold price of the cereal in question between the month in which aid certificates are applied for and the month in which each entry on the certificate has been made; whereas the entry on the certificate is made in accordance with Article 3 (6) of Commission Regulation (EEC) No 131/92<sup>(11)</sup>, as last amended by Regulation (EEC) No 1707/93<sup>(12)</sup>, as regards the French overseas

departments and in accordance with Article 4 (7) of Commission Regulations (EEC) No 1695/92<sup>(13)</sup> and (EEC) No 1696/92<sup>(14)</sup>, as last amended by Regulation (EEC) No 1707/93, as regards the Canary Islands and the Azores and Madeira respectively; whereas the entry on the 'aid' certificate is made at the destination by the local authorities on presentation of the products to which it refers;

Whereas there is a significant reduction in common prices for maize and sorghum with effect from the 1993/94 marketing year; whereas as a result of the time needed for consignments to reach the French overseas departments, the Azores, Madeira and the Canary Islands from the continental part of the Community, this adjustment is likely to penalize operators having supply commitments with either maize or sorghum at the end of the marketing year; whereas it is therefore vital to derogate from these provisions in order to facilitate the transition from the 1992/93 to the 1993/94 marketing year;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The adjustment provided for in Article 6 of Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 shall not apply if the operator provides proof to the satisfaction of the competent authorities in the destination region that the maize or the sorghum presented for entry on the aid certificate was issued prior to 1 October 1993.

Proof shall be provided by the bill of lading or another transport document presenting sufficient guarantee, duly drawn up at the time of dispatch.

*Article 2*

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

(1) OJ No L 356, 24. 12. 1991, p. 1.  
(2) OJ No L 378, 23. 12. 1992, p. 23.  
(3) OJ No L 173, 27. 6. 1992, p. 1.  
(4) OJ No L 173, 27. 6. 1992, p. 13.  
(5) OJ No L 181, 1. 7. 1992, p. 21.  
(6) OJ No L 196, 5. 8. 1993, p. 22.  
(7) OJ No L 43, 19. 2. 1992, p. 16.  
(8) OJ No L 179, 1. 7. 1992, p. 101.  
(9) OJ No L 179, 1. 7. 1992, p. 104.  
(10) OJ No L 160, 1. 7. 1993, p. 1.  
(11) OJ No L 13, 22. 1. 1992, p. 13.  
(12) OJ No L 139, 1. 7. 1993, p. 75.

(13) OJ No L 179, 1. 7. 1992, p. 1.  
(14) OJ No L 179, 1. 7. 1992, p. 6.

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

Done at Brussels, 18 August 1993.

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

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COMMISSION REGULATION (EEC) No 2385/93

of 27 August 1993

**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 2127/93<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 27 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 191, 31. 7. 1993, p. 69.

ANNEX

to the Commission Regulation of 27 August 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	56,00	56,00	56,00	59,00
Barley (1003 00 80)	66,00	66,00	66,00	69,00
Maize (1005 90 00)	103,00	103,00	103,00	106,00
Durum wheat (1001 10 00)	56,00	56,00	56,00	59,00

COMMISSION REGULATION (EEC) No 2631/93  
of 24 September 1993

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply  
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91  
of 16 December 1991 introducing specific measures in  
respect of certain agricultural products for the benefit of  
the French overseas departments (\*), as amended by Regu-  
lation (EEC) No 3714/92 (\*\*), and in particular Article 2 (6)  
thereof,

Whereas the amounts of aid for the supply of cereals  
products to the French overseas departments (FOD) has  
been settled by Commission Regulation (EEC)  
No 391/92 (\*), as last amended by Regulation (EEC)  
No 2385/93 (\*\*); whereas, as a consequence of the changes  
of the rates and prices for cereals products in the Euro-  
pean part of the Community and on the world market,

the aid for supply to the FOD should be set at the  
amounts given in the Annex ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is  
replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 October 1993.

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

Done at Brussels, 24 September 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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(\*) OJ No L 356, 24. 12. 1991, p. 1.  
(\*) OJ No L 378, 23. 12. 1992, p. 23.  
(\*) OJ No L 43, 19. 2. 1992, p. 23.  
(\*) OJ No L 218, 28. 8. 1993, p. 33.



ANNEX

to the Commission Regulation of 24 September 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	73,00	73,00	73,00	76,00
Barley (1003 00 80)	68,00	68,00	68,00	71,00
Maize (1005 90 00)	108,00	108,00	108,00	111,00
Durum wheat (1001 10 00)	73,00	73,00	73,00	76,00

COMMISSION REGULATION (EEC) No 3005/93

of 29 October 1993

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2(6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 2631/93<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 November 1993.

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

Done at Brussels, 29 October 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

(1) OJ No L 356, 24. 12. 1991, p. 1.

(2) OJ No L 378, 23. 12. 1992, p. 23.

(3) OJ No L 43, 19. 2. 1992, p. 23.

(4) OJ No L 240, 25. 9. 1993, p. 28.

ANNEX

to the Commission Regulation of 29 October 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	62,00	62,00	62,00	65,00
Barley (1003 00 80)	75,00	75,00	75,00	78,00
Maize (1005 90 00)	46,00	46,00	46,00	49,00
Durum wheat (1001 10 00)	62,00	62,00	62,00	65,00

COMMISSION REGULATION (EC) No 3243/93  
of 26 November 1993

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply  
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91  
of 16 December 1991 introducing specific measures in  
respect of certain agricultural products for the benefit of  
the French overseas departments<sup>(1)</sup>, as amended by Regu-  
lation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6)  
thereof,

Whereas the amounts of aid for the supply of cereals  
products to the French overseas departments (FOD) has  
been settled by Commission Regulation (EEC)  
No 391/92<sup>(3)</sup>, as last amended by Regulation (EEC)  
No 3005/93<sup>(4)</sup>; whereas, as a consequence of the changes  
of the rates and prices for cereals products in the Euro-  
pean part of the Community and on the world market,  
the aid for supply to the FOD should be set at the  
amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is  
replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 December  
1993.

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

Done at Brussels, 26 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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(1) OJ No L 356, 24. 12. 1991, p. 1.

(2) OJ No L 378, 23. 12. 1992, p. 23.

(3) OJ No L 43, 19. 2. 1992, p. 23.

(4) OJ No L 270, 30. 10. 1993, p. 24.

ANNEX

to the Commission Regulation of 26 November 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	55,00	55,00	55,00	58,00
Barley (1003 00 80)	74,00	74,00	74,00	77,00
Maize (1005 90 00)	44,00	44,00	44,00	47,00
Durum wheat (1001 10 00)	31,00	31,00	31,00	34,00

COMMISSION REGULATION (EC) No 3473/93

of 17 December 1993

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments (\*), as amended by Regulation (EEC) No 3714/92 (\*\*), and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 (\*\*\*), as last amended by Regulation (EC) No 3243/93 (\*\*\*\*); whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 17 December 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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(\*) OJ No L 356, 24. 12. 1991, p. 1.  
(\*\*) OJ No L 378, 23. 12. 1992, p. 23.  
(\*\*\*) OJ No L 43, 19. 2. 1992, p. 23.  
(\*\*\*\*) OJ No L 293, 27. 11. 1993, p. 13.

ANNEX

to the Commission Regulation of 17 December 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	49,00	49,00	49,00	52,00
Barley (1003 00 80)	76,00	76,00	76,00	79,00
Maize (1005 90 00)	45,00	45,00	45,00	48,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00





## **Part 2: FODs**

**C — Beef and veal**



COMMISSION REGULATION (EEC) No 231/93

of 3 February 1993

laying down certain detailed rules for the application of the supplements to the special premium for producers of beef and veal and to the premium for maintaining suckler cows in the French overseas departments and the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 9 thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 14 (4) and Article 24 (6) thereof,

Whereas Regulations (EEC) No 3763/91 and (EEC) No 1600/92 provide for specific measures concerning agricultural products of the French overseas departments (hereinafter called 'OD') and of the Azores and Madeira; whereas such measures involve, in the beef and veal sector, a supplement to the special premium for male bovine animals and to the premium for maintaining suckler cows as provided for by Community legislation; whereas provision should be made for those supplements to be granted under the rules applicable to those premium schemes;

Whereas the measures for the benefit of beef and veal products of the Azores seek to bolster traditional economic activities vital to the Azores archipelago; whereas one such traditional activity in the beef and veal sector consists of the production of animals for fattening in other regions of the Community; whereas provision should therefore be made in order that the supplement to the special premium may also be paid to the Azores livestock producer prior to shipment of the animals;

Whereas, in order to achieve the objectives set for the territories in question and to take account of the specific needs of the different regions concerned, the authorities of the Member States should be permitted to adopt additional provisions with regard to the granting of such aids;

Whereas provision should be made for the detailed rules to apply as from the entry into force of the schemes

adopted for the 'OD' and for the Azores and Madeira — that is, from the beginning of 1992 and from 1 July 1992 respectively;

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*

The supplement to the premium for maintaining suckler cows, provided for in Article 5 (2) of Regulation (EEC) No 3763/91 for the French overseas departments (OD) and in Articles 14 (3) and 24 (3) of Regulation (EEC) No 1600/92 for Madeira and the Azores respectively shall be granted on the basis of the rules applicable to applications under the scheme for the premium for maintaining suckler cows.

*Article 2*

1. The supplement to the special premium for the fattening of male bovine animals, provided for in Article 5 (1) of Regulation (EEC) No 3763/91 in respect of the French overseas departments and in Articles 14 (2) and 24 (2) of Regulation (EEC) No 1600/92 for Madeira and the Azores respectively, shall be granted on the basis of the provisions applicable to applications under the scheme for the special premium for beef and veal producers.

2. The supplement referred to in paragraph 1 shall also be granted, within the limits of the numbers determined under the special premium scheme, for male bovine animals born and raised over a minimum period of three months in the Azores and which are dispatched, before attaining the age of eight months, to another region of the Community, for fattening.

The supplement shall in such circumstances be granted when the animal leaves the Azores, upon application by the producer who has most recently undertaken the raising of the animals concerned over a minimum period of two months. Each application shall include:

- the identification numbers of the animals,
- a declaration by the producer that the animal is over three months and under eight months of age, and
- a declaration by the consignor indicating the designation of the animal.

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 173, 27. 6. 1992, p. 1.

The competent authorities shall take the necessary measures, notably with regard to identification, to ensure that the supplement applicable to animals in the Azores is not paid again, as the case may be, in Madeira or the Canary Islands.

For 1992, the competent authorities are authorized to grant the supplement in respect of animals for which there is satisfactory evidence that they have fulfilled the conditions set out in this paragraph and have been shipped for subsequent fattening in another region of the Community.

*Article 3*

The competent authorities of the Member States concerned may adopt, as necessary, additional provisions with regard to the granting of the supplements referred to

in Articles 1 and 2. They shall inform the Commission of such action forthwith.

The competent authorities shall also notify the Commission each year, by 31 March at the latest, of the number of animals in respect of which the supplement has been applied for and granted, specifying, where applicable, the number of animals in respect of which the supplement referred to in Article 2 (2) has been paid.

*Article 4*

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

It shall apply to supplements paid in respect of the French overseas departments for 1992 and, in the case of Madeira and the Azores, to supplements paid on or after 1 July 1992.

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

Done at Brussels, 3 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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COMMISSION REGULATION (EEC) No 1123/93

of 7 May 1993

laying down detailed rules to implement the specific measures for supplying the French overseas departments with products from the sheepmeat and goatmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 4 (5) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, and in particular Article 12 thereof,

Whereas, in application of Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine for the sheepmeat and goatmeat sector for each annual period of validity, the number of pure-bred breeding sheep and goats originating in the Community which benefit from an aid with a view to developing the potential for production in the French overseas departments;

Whereas it is appropriate to fix the amount of aid referred to above for the supply to the French overseas departments of pure-bred breeding sheep and goats originating in the rest of the Community; whereas such aid must be fixed taking into account, in particular, the cost of supply from the Community market, and the conditions resulting from the geographical situation of the French overseas departments;

Whereas the common detailed rules for implementing the scheme to supply the French overseas departments with certain agricultural products are laid down by Commission Regulation (EEC) No 131/92<sup>(4)</sup>, as amended by Regulation (EEC) No 2132/92<sup>(5)</sup>; whereas it is appropriate to lay down additional detailed rules in line with current commercial practice in the sheepmeat and goatmeat sector, in particular regarding the duration of the validity of aid certificates and the amount of securities ensuring operators' compliance with their obligations;

Whereas with a view to sound management of the supply scheme, provision should be made for a timetable for

lodging certificate applications and for a scrutiny period prior to the issue of such certificates;

Whereas, for converting the amount of aid into national currency, the operative event should be the day the 'aid certificate' is lodged with the competent authorities at the place of destination pursuant to Article 3 (6) of Regulation (EEC) No 131/92, without prejudice to the possibility of the advance-fixing provided for in Articles 8 to 12 of Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying agricultural conversion rates<sup>(6)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The aid provided for in Article 4 (1) of Regulation (EEC) No 3763/91 for the supply to the French overseas departments of pure-bred breeding sheep and goats originating in the Community as well as the number of animals which benefit from it shall be as fixed in the Annex.

*Article 2*

The provisions of Regulation (EEC) No 131/92 shall apply, with the exception of Article 3 (4).

*Article 3*

France shall designate the competent authority for:

- (a) the issue of the 'aid certificate' provided for in Article 3 (1) of Regulation (EEC) No 131/92; and
- (b) the payment of the aid to the operators concerned.

*Article 4*

1. Applications for certificates shall be submitted to the competent authority during the first five working days of each month. An application for a certificate shall be admissible only if:

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

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

<sup>(4)</sup> OJ No L 15, 22. 1. 1992, p. 13.

<sup>(5)</sup> OJ No L 213, 29. 7. 1992, p. 25.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 17.

- (a) it relates to no more than the maximum quantity of animals available published by France prior to the opening of the time limit for the submission of applications;
  - (b) before expiry of the period provided for the submission of applications for certificates, proof has been provided that the party concerned has lodged a security of ECU 40 per animal.
2. The certificates shall be issued by the 10th working day of each month at the latest.

*Article 5*

The duration of validity of the aid certificates shall be three months.

*Article 6*

The aid provided for in Article 1 shall be paid in respect of the quantities actually supplied.

Article 3 (4) of Regulation (EEC) No 131/92 notwithstanding, the rate to be applied for converting the amount of aid into national currency shall be the agricultural conversion rate in force on the day the 'aid certificate' is lodged with the competent authorities at the place of destination.

*Article 7*

This Regulation shall enter into force on the seventh 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, 7 May 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

ANNEX

Supply to the French overseas departments of pure-bred breeding sheep and goats originating in the Community for each calendar year

(ECU/head)

CN code	Description of the goods	Number of animals to supply	Aid
0104 10 10	Pure-bred breeding sheep (1):		
	— Males	15	440
	— Females	15	170
0104 20 10	Pure-bred breeding goats (1):		
	— Males	—	
	— Females	—	

(1) Inclusion in this subposition is subject to the conditions provided for by Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ No L 153, 6. 6. 1989, p. 30).

COMMISSION REGULATION (EEC) No 1148/93

of 11 May 1993

laying down detailed rules to implement the specific measures for supplying the French overseas departments with breeding horses

THE COMMISSION OF THE EUROPEAN COMMUNITIES;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 4 (5) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, and in particular Article 12 thereof,

Whereas, in application of Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine the number of pure-bred breeding horses originating in the Community which benefit from an aid with a view to developing the potential for production in the French overseas departments;

Whereas it is appropriate to fix the amount of aid referred to above for the supply to the French overseas departments of pure-bred breeding horses originating in the rest of the Community; whereas such aid must be fixed taking into account the criteria laid down in Article 4 (3) of Regulation (EEC) No 3763/91;

Whereas the common detailed rules for implementing the scheme to supply the French overseas departments with certain agricultural products are laid down by Commission Regulation (EEC) No 131/92<sup>(4)</sup>, as amended by Regulation (EEC) No 2132/92<sup>(5)</sup>; whereas it is appropriate to lay down additional detailed rules in line with current commercial practice in the equidae sector, in particular regarding the duration of the validity of aid certificates and the amount of securities ensuring operators' compliance with their obligations;

Whereas with a view to sound management of the supply scheme, provision should be made for a timetable for lodging certificate applications and for a scrutiny period prior to the issue of such certificates;

Whereas, for converting the amount of aid into national currency, the operative event should be the day the 'aid

certificate' is lodged with the competent authorities at the place of destination pursuant to Article 3 (6) of Regulation (EEC) No 131/92, without prejudice to the possibility of the advance fixing provided for in Articles 8 to 12 of Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying agricultural conversion rates<sup>(6)</sup>;

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*

The aid provided for in Article 4 (1) of Regulation (EEC) No 3763/91 for the supply to the French overseas departments of pure-bred breeding horses originating in the Community as well as the number of animals which benefit from it shall be fixed in the Annex to this Regulation.

*Article 2*

France shall designate the competent authority for:

- (a) the issue of the 'aid certificate' provided for in Article 3 (1) of Regulation (EEC) No 131/92; and
- (b) the payment of the aid to the operators concerned.

*Article 3*

The provisions of Regulation (EEC) No 131/92 shall apply, with the exception of Article 3 (4).

*Article 4*

1. Applications for certificates shall be submitted to the competent authority during the first five working days of each month. An application for a certificate shall be admissible only if:

- (a) it relates to no more than the maximum quantity of animals available published by France;
- (b) before expiry of the period provided for the submission of applications for certificates, proof has been provided that the party concerned has lodged a security of ECU 30 per animal.

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

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

<sup>(4)</sup> OJ No L 15, 22. 1. 1992, p. 13.

<sup>(5)</sup> OJ No L 213, 29. 7. 1992, p. 25.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 17.

2. The aid certificates shall be issued by the 10th working day of each month at the latest.

3. However, for the first application of this Article, applications for certificates shall be submitted up to 18 May 1993 and the certificates shall be issued by 28 May 1992 at the latest.

*Article 5*

The duration of validity of the aid certificates shall expire on the last day of the second month following that in which they were issued.

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

Done at Brussels, 11 May 1993.

*Article 6*

The aid provided for in Article 1 shall be paid in respect of the quantities actually supplied.

Article 3 (4) of Regulation (EEC) No 131/92 notwithstanding, the rate to be applied for converting the amount of aid into national currency shall be the agricultural conversion rate in force on the day the 'aid certificate' is lodged with the competent authorities at the place of destination.

*Article 7*

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

*For the Commission*

René STEICHEN

*Member of the Commission*

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ANNEX

Part 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 May to 30 June 1993

*(ECU/head)*

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	16	1 000

Part 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 May to 30 June 1993

*(ECU/head)*

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	10	1 000

(\*) Inclusion in this sub-position is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 20. 8. 1990, p. 55).

COMMISSION REGULATION (EEC) No 1734/93

of 30 June 1993

amending Regulation (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with live bovine animals and breeding horses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Articles 4 (5) and 9 thereof,

Whereas, for the purposes of Articles 4 and 7 of Regulation (EEC) No 3763/91, the number of bovine animals and pure-bred breeding horses originating in the Community eligible for aid with a view to developing the potential for production in the French overseas departments (FOD) and the number of male bovine animals eligible for exemption from duties on direct imports from third countries or for aid for deliveries originating in the rest of the Community for the 1993/94 marketing year should be determined;

Whereas the quantities of products benefiting from the specific supply arrangements must be determined within the framework of periodic forecast supply balances which may be adjusted on the basis of the essential requirements of the markets and taking account of local production and traditional trade flows; whereas to ensure coverage of requirements in terms of quantity, price and quality and to ensure that the proportion of products supplied from the Community is preserved, the aid to be granted for products originating in the rest of the Community must be determined on terms equivalent, for the end user, to the advantage resulting from exemption

from import duties on imports of products from third countries;

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*

Annex I to Commission Regulation (EEC) No 2312/92<sup>(1)</sup> is hereby replaced by Annex I to this Regulation.

*Article 2*

Annex III to Regulation (EEC) No 2312/92 is hereby replaced by Annex II to this Regulation.

*Article 3*

The Annex to Commission Regulation (EEC) No 1148/93<sup>(2)</sup> is hereby replaced by Annex III to this Regulation.

*Article 4*

The aid shall be determined in such a way that the proportion of products supplied from the Community is preserved, taking account of traditional trade flows.

*Article 5*

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 30 June 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(1)</sup> OJ No L 222, 7. 8. 1992, p. 32.  
<sup>(2)</sup> OJ No L 116, 12. 5. 1993, p. 15.

ANNEX I

ANNEX I

PART 1

Supply balance for Réunion for male bovine animals for fattening for the period 1 July 1993 to 30 June 1994

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	900

PART 2

Supply balance for Guyana for male bovine animals for fattening for the period 1 July 1993 to 30 June 1994

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	750

ANNEX II

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period 1 July 1993 to 30 June 1994

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	180	1 000

PART 2

Supply to Guyana of pure-bred breeding bovines originating in the Community for the period 1 July 1993 to 30 June 1994

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	180	1 000

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period 1 July 1993 to 30 June 1994

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	40	1 000

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the period 1 July 1993 to 30 June 1994

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	40	1 000

(\*) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

ANNEX III

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1993 to 30 June 1994

<i>(ECU/head)</i>			
CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	16	1 000

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1993 to 30 June 1994

<i>(ECU/head)</i>			
CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	10	1 000

(\*) Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 20. 8. 1990, p. 55).

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2789/93  
of 11 October 1993

amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down  
detailed rules for implementing the specific measures for supplying the French  
overseas territories with live bovine animals and breeding horses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No 3763/91  
of 16 December 1991 introducing specific measures in  
respect of certain agricultural products for the benefit of  
the French overseas departments<sup>(1)</sup>, as amended by  
Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in  
particular Articles 4 (5) and 9 thereof,

Whereas Commission Regulation (EEC) No 131/92<sup>(3)</sup>, as  
last amended by Regulation (EEC) No 2596/93<sup>(4)</sup>, lays  
down common detailed rules for implementation of the  
specific measures for the supply of certain agricultural  
products to the French overseas departments;

Whereas Commission Regulation (EEC) No 2312/92<sup>(5)</sup>,  
as last amended by Regulation (EEC) No 1734/93<sup>(6)</sup>, and  
(EEC) No 1148/93<sup>(7)</sup>, as amended by Regulation (EEC)  
No 1734/93, lay down detailed rules for implementing  
the specific measures for supplying the French overseas  
departments with live bovine animals and breeding horses  
respectively;

Whereas, in the light of experience, it is necessary to alter  
the timetable for the submission of applications for, and  
the issue of, certificates, and to amend the period of their  
validity and the size of the security lodged by the party  
concerned;

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*

Regulation (EEC) No 2312/92 is hereby amended as  
follows:

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 15, 22. 1. 1992, p. 13.  
<sup>(4)</sup> OJ No L 238, 23. 9. 1993, p. 24.  
<sup>(5)</sup> OJ No L 222, 7. 8. 1992, p. 32.  
<sup>(6)</sup> OJ No L 160, 1. 7. 1993, p. 32.  
<sup>(7)</sup> OJ No L 116, 12. 5. 1993, p. 15.

1. Article 9 is amended as follows:

- (a) in paragraph 1, 'during the first five working days'  
is replaced by 'during the first 10 working days';
- (b) in paragraph 1 (b), 'ECU 30' is replaced by 'ECU  
3';
- (c) in paragraph 2, 'on the 10th working day' is  
replaced by 'on the 15th working day';

2. Article 10 is replaced by the following text:

*Article 10*

Licences and certificates shall expire on the 90th day  
after their issue.'

*Article 2*

Regulation (EEC) No 1148/93 is hereby amended as  
follows:

1. Article 4 is amended as follows:

- (a) in paragraph 1, 'during the first five working days'  
is replaced by 'during the first 10 working days';
- (b) in paragraph 1 (b), 'ECU 30' is replaced by 'ECU  
3';
- (c) in paragraph 2, 'by the 10th working day' is  
replaced by 'by the 15th working day';

2. Article 5 is replaced by the following text:

*Article 5*

The duration of validity of the aid certificates shall  
expire on the 90th day after their issue.'

*Article 3*

This Regulation shall enter into force on the seventh 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, 11 October 1993.

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

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## **Part 2: FODs**

**D — Sugar**



COMMISSION REGULATION (EEC) No 388/93

of 22 February 1993

determining for the period 1 March 1993 to 30 June 1993 the quantities of raw sugar produced in the French overseas departments benefiting from the refining aid referred to in Council Regulation (EEC) No 2225/86 and amending Regulation (EEC) No 476/92

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3814/92<sup>(2)</sup>, and in particular Article 9 (6) thereof,

Having regard to Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar<sup>(3)</sup>, and in particular the second subparagraph of Article 3 (2) thereof,

Whereas Article 3 of Regulation (EEC) No 2225/86 provides for the granting of an aid for raw sugar produced in the French overseas departments and refined in a refinery situated in the European regions of the Community within the limits of the quantities to be determined according to the regions of destination in question and separately according to origin; whereas those quantities must be determined on the basis of a Community supply balance sheet for raw sugar; whereas in a first stage quantities were fixed by Commission Regulation (EEC) No 1730/92<sup>(4)</sup> on the basis of a forward estimate covering the period 1 July 1992 to 28 February 1993;

Whereas the final production of the French overseas department of Réunion and the quantities available for refining are now known; whereas the latter quantities which may qualify for this refining aid are accordingly to be determined for the remainder of the 1992/93 marketing year; whereas the quantity of raw sugar available for

refining in French refineries during the period 1 March to 30 June 1992 turns out to be slightly more than that fixed by Commission Regulation (EEC) No 476/92<sup>(5)</sup>; whereas the said quantity should accordingly be amended;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities of sugar referred to in Article 3 (2) of Regulation (EEC) No 2225/86 shall be fixed for the period 1 March to 30 June 1993 in accordance with Annex I hereto.

*Article 2*

Annex I to Regulation (EEC) No 476/92 shall be replaced by Annex II hereto.

*Article 3*

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 March 1993 with the exception of Article 2 which shall apply with effect from 1 March 1992.

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

Done at Brussels, 22 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 387, 31. 12. 1992, p. 7.

<sup>(3)</sup> OJ No L 194, 17. 7. 1986, p. 7.

<sup>(4)</sup> OJ No L 179, 1. 7. 1992, p. 112.

<sup>(5)</sup> OJ No L 53, 28. 2. 1992, p. 49.

*ANNEX I*

Quantities of raw cane sugar, expressed in 1 000 tonnes of white sugar :

(Period from 1 March to 30 June 1993)

Originating from the French overseas departments	For refining			
	in metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	0	0	0	0
2. Guadeloupe and Martinique	42	0	0	0

*ANNEX II*

*ANNEX I*

Quantities of raw cane sugar, expressed in 1 000 tonnes of white sugar :

(Period from 1 March to 30 June 1992)

Originating from the French overseas departments	For refining			
	in metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	0	0	0	0
2. Guadeloupe and Martinique	22,08	0	0	0

COMMISSION REGULATION (EEC) No 1786/93

of 30 June 1993

determining for the period 1 July 1993 to 28 February 1994 the quantities of raw sugar produced in the French overseas departments for which the refining aid specified in Council Regulation (EEC) No 2225/86 may be granted and amending Regulation (EEC) No 388/93

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 (<sup>1</sup>), as last amended by Regulation (EEC) No 1548/92 (<sup>2</sup>), and in particular Article 9 (6) thereof,

Having regard to Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar (<sup>3</sup>), and in particular the second subparagraph of Article 3 (2) thereof,

Whereas Article 3 of Regulation (EEC) No 2225/86 states that aid is to be granted for raw sugar produced in the French overseas departments and refined in the European regions of the Community within the limits of quantities to be determined individually for each combination of region of destination and provenance; whereas these quantities are to be determined on the basis of a Community supply balance for raw sugar;

Whereas total production in the French department of Réunion in the 1993/94 marketing year will not be finally known until towards the end of January 1994; whereas, as a first step, however, distribution should be made of this quantity sufficient to permit supply of the refineries concerned during the period 1 July 1993 to 28 February 1994;

Whereas the quantity of raw sugar from Réunion available for refining in French refineries during the period 1 March to 30 June 1993 turns out to be slightly more than that fixed by the Commission Regulation (EEC) No 388/93 (<sup>4</sup>); whereas the said quantity should accordingly be amended;

Whereas Commission Regulations (EEC) No 1730/92 (<sup>5</sup>) and (EEC) No 388/93 determined the quantities of raw sugar produced in the French overseas departments for

the 1992/93 marketing year on which the refining aid specified in Regulation (EEC) No 2225/86 could be granted; whereas not all these quantities could be refined in good time but as a working stock they will be eligible for the refining aid for 1993/94; whereas it should be specified that the refining aid is to be granted on these quantities against those set in the Annexes to Regulations (EEC) No 1730/92 and (EEC) No 388/93 for the 1992/93 marketing year;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities of sugar mentioned in Article 3 (2) of Regulation (EEC) No 2225/86 are set for the period 1 July 1993 to 28 February 1994 at the amounts shown in Annex I to this Regulation.

*Article 2*

Annex I to Regulation (EEC) No 388/93 shall be replaced by Annex II hereto.

*Article 3*

For raw sugar out of the quantities indicated in the Annex to Regulation (EEC) No 1730/92 and in Annex I to Regulation (EEC) No 388/93 that is refined from 1 July 1993 onwards, the refining aid valid for the 1993/94 marketing year pursuant to Article 3 of Regulation (EEC) No 2225/86 shall be applicable. The refined quantities in question shall be charged against the amounts stipulated in the Annex to Regulation (EEC) No 1730/92 and in Annex I to Regulation (EEC) No 388/93 for the 1992/93 marketing year.

*Article 4*

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

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

(<sup>2</sup>) OJ No L 154, 25. 6. 1993, p. 10.

(<sup>3</sup>) OJ No L 194, 17. 7. 1986, p. 7.

(<sup>4</sup>) OJ No L 45, 23. 2. 1993, p. 5.

(<sup>5</sup>) OJ No L 179, 1. 7. 1992, p. 112.

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

Done at Brussels, 30 June 1993.

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

*ANNEX I*

Quantities of raw cane sugar, expressed as white sugar equivalent (1 000 tonnes)

(Period from 1 July 1993 to 28 February 1994)

From the French overseas departments	For refining in			Other regions of the Community
	Metropolitan France	Portugal	United Kingdom	
1. Réunion	170	0	7	0
2. Guadeloupe and Martinique	0	11	0	0

*ANNEX II*

*ANNEX I*

Quantities of raw cane sugar, expressed as white sugar equivalent (1 000 tonnes)

(Period from 1 March 1993 to 30 June 1993)

From the French overseas departments	For refining in			Other regions of the Community
	Metropolitan France	Portugal	United Kingdom	
1. Réunion	8	0	0	0
2. Guadeloupe and Martinique	42	0	0	0

COMMISSION REGULATION (EEC) No 2930/93

of 25 October 1993

amending Regulation (EEC) No 1786/93 determining, for the period 1 July 1993 to 28 February 1994, the quantities of raw sugar produced in the French Overseas Departments for which the refining aid specified in Council Regulation (EEC) No 2225/86 may be granted

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 market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular Article 9 (6) thereof,

Having regard to Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar<sup>(3)</sup>, and in particular the second subparagraph of Article 3 (2),

Whereas Commission Regulation (EEC) No 1786/93<sup>(4)</sup> lays down, for the period 1 July 1993 to 28 February 1994, the quantities of raw sugar in respect of which the refining aid specified in Article 3 of Regulation (EEC) No 2225/86 may be granted; whereas the quantity originating in the French Antilles and allocated to Portuguese refineries is no longer available; whereas, however, an

equivalent quantity originating in Réunion is available for Portugal; whereas the quantities specified in Annex I to Regulation (EEC) No 1786/93 should therefore be duly adjusted with effect from 1 July 1993;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EEC) No 1786/93 is replaced with effect from 1 July 1993, by the Annex hereto.

*Article 2*

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

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

Done at Brussels, 25 October 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 194, 17. 7. 1986, p. 7.

<sup>(4)</sup> OJ No L 163, 6. 7. 1993, p. 11.

ANNEX

ANNEX I

Quantities of raw cane sugar, expressed as white sugar equivalent (1 000 tonnes)

(Period from 1 July 1993 to 28 February 1994)

From the French Overseas Departments	For refining			
	Metropolitan France	Portugal	United Kingdom	Other regions of the Community
1. Réunion	158	12	7	0
2. Guadeloupe and Martinique	0	0	0	0



## **Part 2: FODs**

**E — Fisheries**



COUNCIL REGULATION (EC) No 3681/93

of 20 December 1993

laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guyana

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture<sup>(1)</sup>, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 8 of Regulation (EEC) No 3760/92, the Council determines for each fishery or group of fisheries on a case-by-case basis, the total allowable catch and/or the total allowable fishing effort in order to ensure a rational and responsible exploitation on a durable basis;

Whereas, since 1977, the Community has operated a system of conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile-zone off the coast of the French department of Guyana most recently laid down by Regulation (EEC) No 3929/92<sup>(2)</sup>; whereas the latter Regulation expires on 31 December 1993;

Whereas the continuity of the system should be assured, in particular by maintaining the restriction on some fish stocks in the zone in order to conserve the stock and ensure adequate profitability for the fishermen concerned;

Whereas the processing industry based in the French department of Guyana depends on landings from vessels of non-member countries operating in the fishing zone off that department;

Whereas therefore, it is necessary to ensure that those vessels which are under contract to land their catches in the French department of Guyana can continue to fish;

Whereas shrimp fishing licences calculated on the basis of scientific advice have been issued to non-member countries whose vessels fish in the zone of the said department; whereas therefore a number of those licences are subject to changes on the basis of that scientific advice;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(3)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Vessels flying the flag of one of the countries listed in Annex I shall be authorized, during the period 1 January to 31 December 1994 to fish for the species listed in the said Annex in the part of the 200-nautical-mile fishing zone off the coast of the French department of Guyana that lies more than 12 nautical miles from the base lines, in accordance with the conditions laid down in this Regulation.

*Article 2*

1. Fishing in the fishery zone referred to in Article 1 shall be subject to the possession on board of a licence, issued by the Commission on behalf of the Community, and to the observance of the conditions set out in that licence and the control measures and other provisions regulating fishing activities in that zone.
2. Applications for licences shall be submitted by the authorities of the non-member countries concerned to the Commission's services at least 15 working days before the desired date of commencement of validity. Licences will be issued to the authorities of the third countries concerned.
3. The registration letters and numbers of a vessel in possession of a licence must be clearly marked on both

<sup>(1)</sup> OJ No L 389, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 397, 31. 12. 1992, p. 81.

<sup>(3)</sup> OJ No L 261, 20. 10. 1993, p. 1.

sides of the prow and on both sides of the superstructure at the most visible point. The letters and numbers must be painted in a colour that contrasts with the colour of the hull or superstructure and must not be obliterated, altered, covered or masked in any other way.

#### Article 3

1. Licences may be issued for shrimp fishing to vessels which fly the flag of one of the countries listed in point 1 of Annex I. The catch quantities authorized under such licences, the maximum number of licences and the maximum number of days at sea during which such licences are valid shall be as specified for each country in point 1 of Annex I.

2. The licences referred to in paragraph 1 shall be issued on the basis of a fishing plan submitted by the authorities of the country concerned, approved by the Commission and not exceeding the limits for the country concerned specified in point 1 of Annex I.

3. The period of validity of each of the licences referred to in paragraph 1 shall be limited to the fishing period provided for in the fishing plan on the basis of which the licence was issued.

4. All licences referred to in paragraph 1 issued to vessels of a non-member country shall cease to be valid as soon as it is established that the quota laid down in point 1 of Annex I for that country has been used up.

#### Article 4

1. Licences may be issued for the fishing of species other than shrimps to vessels flying the flag of one of the countries listed in point 2 of Annex I. The maximum number of such licences for each country shall be as specified in point 2 of Annex I.

2. Snapper fishing licences shall be granted subject to an undertaking by the owner of the vessel concerned to land 75 % of the catches in the French department of Guyana.

3. Shark fishing licences shall be granted subject to an undertaking by the owner of the vessel concerned to land 50 % of the catches in the French department of Guyana.

#### Article 5

1. The following information shall accompany applications for licences submitted to the Commission:

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;
- (i) intended method of fishing;
- (j) species intended to be fished;
- (k) period for which a licence is requested.

2. Each licence shall be valid for one vessel only. Where several vessels are taking part in the same fishing operation, each vessel must be in possession of a licence.

#### Article 6

1. To obtain a fishing licence for snapper or shark, as referred to in Article 4, proof must be produced, in respect of each of the vessels concerned, that a valid contract exists between the shipowner applying for the licence and a processing undertaking situated in the French department of Guyana and that it includes an obligation to land at least 75 % of all snapper catches, or 50 % of all shark catches from the vessel concerned in that department so that they may be processed in that undertaking's plant.

2. The contract referred to in paragraph 1 must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guyanese economy. A copy of the duly endorsed contract shall be appended to the licence application.

3. Where the endorsement referred to in paragraph 2 is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and the Commission.

#### Article 7

Licences may be cancelled with a view to issuing new licences. Such cancellation shall take effect on the date of issuance of the new licence by the Commission.

*Article 8*

1. Fishing for shrimps of the species *Penaeus subtilis* and *Penaeus brasiliensis* shall be forbidden in waters of a depth less than 30 metres. During these fishing activities carried out by vessels using trawls, by-catches shall be permitted.
2. Tuna fishing shall be authorized only for vessels using long lines.
3. Snapper fishing shall be authorized only for vessels using long lines or traps.
4. Shark fishing shall be authorized only for vessels using long lines or mesh nets having a minimum mesh of 100 mm and shall be forbidden in waters of a depth less than 30 metres.

*Article 9*

A log-book, a model of which appears in Annex II, shall be completed after each fishing operation. A copy of this log-book shall be sent to the Commission within 30 days of the last day of each fishing trip via the French authorities.

*Article 10*

1. The master of each vessel in possession of a licence referred to in Articles 3 and 4 (1), as concerns tuna fishing, shall observe the special conditions set out in Annex III, and in particular forward the information specified in the Annex. These conditions shall form an integral part of the licence.
2. The master of each vessel in possession of a licence as referred to in Article 4 (2) and (3) shall, on landing the catch after each trip, submit to the French authorities a declaration, for whose accuracy the master alone is responsible, stating the quantities of shrimp caught and kept on board since the last declaration. This declaration shall be made using the form of which a model appears in Annex IV.

*Article 11*

1. The French authorities shall take all appropriate measures to verify the accuracy of the declarations referred to in Article 10 (2), by checking them in particular against the log-book referred to in Article 9. The declaration shall be signed by the competent official after it has been verified.

2. The French authorities shall ensure that all landings of shrimps in the French department of Guyana by vessels in possession of a licence as referred to in Article 4 (2) and (3) shall be the subject of a declaration as referred to in Article 10 (2).

3. Before the end of each month, the French authorities shall send to the Commission all the declarations referred to in paragraph 2 relating to the preceding month.

*Article 12*

The granting of licences to vessels from third countries shall be subject to the undertaking by the owner of the vessel concerned to permit an observer to come on board at the Commission's request.

*Article 13*

1. The French authorities shall take appropriate measures to ensure that the obligations set out in this Regulation are complied with, including the regular inspection of vessels.
2. Where an infringement is formally ascertained, the French authorities shall, without delay, and in any event not later than 30 days from the date on which the infringement was ascertained, inform the Commission of the name of the vessel concerned and of any action they may have taken.

*Article 14*

1. Licences for vessels which have not complied with the obligations provided for in this Regulation, including the obligation to land all or part of the catches laid down in a contract as referred to in Article 6 shall be withdrawn.

No licence shall be issued to such vessels for a period of four to 12 months from the date on which the infringement was committed.

2. Where a vessel fishes without a valid licence in the zone referred to in Article 1, and where that vessel belongs to a shipowner or is managed by a natural or legal person who has or exercises the management of one or more other vessels to which licences have been issued, one of those licences may be withdrawn.

3. The granting of a licence may be refused during the period referred to in paragraph 1 to one or more vessels belonging to a shipowner who owns a vessel whose licence has been withdrawn under this Article or which has fished without a licence in the zone referred to in Article 1.

*Article 15*

If, for a period of one month, the Commission receives no communication as referred to in Article 12 (1) concerning a vessel in possession of a licence referred to in Articles 3 and 4, the licence of such vessel shall be withdrawn.

authorities of the country concerned, until 31 January 1994. Licences thus extended shall be counted against the number of corresponding licences laid down in Annex I for the duration of the extension, without that total being exceeded.

*Article 17*

This Regulation shall enter into force on 1 January 1994.

*Article 16*

The period of validity of licences valid on 31 December 1992 pursuant to Article 1 of Regulation (EEC) No 3929/92 may be extended, at the request of the

It shall apply until 31 December 1994.

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

Done at Brussels, 20 December 1993.

*For the Council*

*The President*

A. BOURGEOIS

ANNEX I

1. Licences referred to in Article 3

Vessels flying the flag of	Quantity of authorized catches in tonnes	Maximum number of vessels with a licence	Maximum number of days at sea
Barbados	24	5	200
Guiana	24	5	200
Surinam	p.m.	p.m.	p.m.
Trinidad and Tobago	60	8	350

2. Licences referred to in Article 4

Species	Vessels flying the flag of	Maximum number of licences
(a) Tuna	Japan Korea	p.m. p.m.
(b) Snappers	Venezuela Barbados	41 5
(c) Shark	Venezuela	4



ANNEX III

Special conditions

1. Vessels in possession of a licence referred to in Articles 3 and 4 (1) (*Thunnidae*) must communicate information to the Commission of the European Communities in Brussels (telex 24189 FISEU-B) via the French authorities at the following times:
    - (a) on each entry into zones extending up to 200 nautical miles off the coast of the French department of Guiana, hereinafter called 'the zone';
    - (b) whenever leaving the zone;
    - (c) whenever entering a port of a Member State;
    - (d) whenever leaving a port of a Member State;
    - (e) every week in respect of the previous week from the date of entry into the zone referred to in (a) or from the date of leaving the port referred to in (d).
  2. Communications transmitted in accordance with the conditions of the licence at the times specified in 1 above should include the following particulars, where appropriate and should be transmitted in the following order:
    - name of vessel,
    - radio call sign,
    - licence number,
    - chronological number of the transmission for the trip in question,
    - indication of which of the types of transmission, as set out in paragraph 1, is involved,
    - date,
    - time,
    - geographical position,
    - quantity of each species caught during the fishing operation (in kilograms),
    - quantity of each species caught since the previous transmission of information (in kilograms),
    - the geographical coordinates of the position where the catches were made,
    - quantities of catches, by species, transferred to other vessels (in kilograms) since the previous information,
    - the name, call sign and, where applicable, licence number of the vessel to which the catch was transferred,
    - the master's name.
  3. The following code must be used in reporting species caught in accordance with paragraph 2:
    - PEN: Brown shrimp (*Penaeidae*);
    - BOB: Atlantic sea bob shrimp (*Xyphopenaeus kroyerii*);
    - TUN: Tunny;
    - SKH: Shark;
    - XXX: Other.
  4. In cases where, for reasons of *force majeure*, the communication cannot be transmitted by the vessel in possession of a licence, the message may be transmitted by another vessel on behalf of the former.
-



ANNEX IV

Declaration pursuant to Article 10 (2)

<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="padding: 5px;">LANDING DECLARATION (1)</td> </tr> </table>	LANDING DECLARATION (1)
LANDING DECLARATION (1)	

Name of vessel:		Registration No:	
Name of master:		Name of agent:	
Master's signature:			
Voyage made from the _____		to the _____	
Port of landing:			

Quantity of shrimps landed (in live-weight)			
'Head-off' shrimps:		kg	
or (    × 1,6) =		kg (head-on shrimps)	
'Head-on' shrimps:		kg	
<i>Thunnidae:</i>	kg	<i>Snapper (Lutjanidae):</i>	kg
Shark	kg	Other	kg

(1) One copy is kept by the master, one copy is kept by the control officer, and one copy is to be sent to the Commission of the European Communities.



European Communities — Council

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**French overseas departments**  
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