COMMISSION REGULATION (EC) No 1495/94

of 28 June 1994

fixing countervailing charges on seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds [1], as last amended by Regulation (EC) No 3375/93 [2], and in particular Article 6 (5) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 2358/71 provides that where the free-at-frontier offer price, plus customs duties, for a type of hybrid maize and hybrid sorgum for sowing and coming from a non-member country, is lower than the corresponding reference price, a countervailing charge on hybrid maize and hybrid sorghum shall be levied on imports of the hybrid from that country, subject to obligations resulting from binding under GATT; whereas the countervailing charge is equal to the difference between the reference price and the free-at-frontier price plus customs duties;

Whereas the reference prices for the 1994/1995 marketing year for hybrid maize and hybrid sorgum for sowing were fixed in Commission Regulation (EC) No 1476/94 [3];

Whereas the free-at-frontier offer prices for each country of provenance are determined using all available relevant information; whereas such relevant information is defined in Article 1 (1), (2) and (3) of Commission Regulation (EEC) No 1665/72 [4], amended by Regulation (EEC) No 2811/86 [5]; whereas Article 3 of the same Regulation provides that the free-at-frontier offer prices for each country of provenance shall be determined from the most favourable purchasing opportunities for the products in question calculated in accordance with Articles 1 and 2 of the Regulation; whereas information on offers which have no economic effect on the market in particular because of the insignificant quantities for which they are made are to be disregarded for the purpose of calculating these prices;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1665/72, an adjustment must be made in the case of price information relating to a stage other than free-at-Community-frontier; whereas, pursuant to Article 4 (2) of that Regulation, the countervailing charge must be amended where a significant variation in the free-at-frontier offer price is recorded;

Whereas, as a result of the application of the aforementioned provisions to the information currently available to the Commission, the countervailing charge in respect of certain types of hybrid is to be fixed at the amounts indicated in the Annex to this Regulation;

Whereas, consequently, Commission Regulation (EEC) No 1706/93 [6], as last amended by Regulation (EC) No 666/94 [7], which fixed the countervailing charges for the preceding period, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The countervailing charges on seeds are fixed as shown in the Annex hereto.

Article 2

Regulation (EEC) No 1706/93 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 July 1994.

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

Done at Brussels, 28 June 1994.

For the Commission

René STEICHEN

Member of the Commission

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(1) OJ No L 246, 5. 11. 1971, p. 1.
(2) OJ No L 303, 10. 12. 1993, p. 9.
(3) OJ No L 159, 28. 6. 1994, p. 34.
(4) OJ No L 175, 2. 8. 1972, p. 49.
(5) OJ No L 260, 12. 9. 1986, p. 8.
(6) OJ No L 159, 1. 7. 1993, p. 72.
(7) OJ No L 83, 26. 3. 1994, p. 6.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CN code	Amount of countervailing charge (1)	Country of origin (2)
1005 10 11	13,8	404
	15,1	064
	20,4	066
	34,9	068
	34,9	1
1005 10 13	3,2	091
	3,2	090
	3,2	093
	5,5	388
	14,3	063
	21,7	061
	35,2	066
	38	068
	70,1	404
	70,1	2
1005 10 15	7,2	061
	14,9	092
	19,4	038
	22,6	093
	29,4	090
	29,4	091
	45,7	052
	47	512
	51	064
	77	063
	80,4	066
	90,5	388
	140,7	524
	140,7	3

(1) The countervailing charge may not exceed 4 % of the customs value.

(2) Origin identification :

1 Other countries with the exception of Austria, Argentina, Bosnia-Herzegovina, Croatia, Chile, Slovenia, the territory of former Yugoslav Republic of Macedonia and the United States
2 Other countries with the exception of Japan, Austria, Argentina, Hungary, Turkey, Chile, the United States and Croatia
3 Other countries with the exception of Argentina, Bulgaria, Canada and the United States
038 Austria
052 Turkey
061 Czech Republic
063 Slovak Republic
064 Hungary
066 Romania
068 Bulgaria
090 The territory of former Yugoslav Republic of Macedonia
091 Slovenia
092 Croatia
093 Bosnia-Herzegovina
388 South Africa
400 the United States
404 Canada
512 Chile
524 Uruguay