COMMISSION REGULATION (EC) No 1602/94

of 30 June 1994

fixing the sluice-gate prices and levies on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75;

Whereas, as the levies and sluice-gate prices were last fixed by Commission Regulation (EC) No 687/94 of 28 March 1994 (3), for the period from 1 April to 30 June 1993, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1994;

Whereas the levy on pig carcases is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain determined in accordance with Article 1 of Council Regulation (EEC) No 2764/75 of 29 October 1975 laying down the rules for calculating a component of the levy on pig carcases (4), as last amended by Regulation (EEC) No 4160/87 (5), the composition whereof is indicated therein;

Whereas, pursuant to Article 9 (1) (a) of Regulation (EEC) No 2759/75, for calculating the import levies in the pigmeat sector, the prices for feed grain within the Community are determined once a year for a period of 12 months beginning on 1 July, on the basis of the threshold prices and the monthly increases therein; whereas, in spite of all the Commission's efforts, the Council has not yet fixed the monthly increases for feed grain; whereas, in order to ensure the continued operation of the levy mechanism in question, the amounts of the monthly increases likely to be adopted by the Council for the 1994/95 marketing year should be taken as the basis; whereas, however, this fixing is without prejudice to measures to be adopted as a result of decisions which the Council may adopt at a later date as regards monthly increases for feed grain for the 1994/95 marketing year;

Whereas the value within the Community of that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2764/75; whereas the value for the same quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas Article 3 of that Regulation provides that the price of each cereal on the world market is to be equal to the average of the cif prices of that cereal; whereas the cif prices are recorded for the five-month period ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1994;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year;

Whereas the levies on the products specified in Article 1 (1) (a) and (b) of Regulation (EEC) No 2759/75 other than pig carcases must be derived from the levy on pig carcases on the basis of the coefficients fixed for such products pursuant to Article 10 (4) of Regulation (EEC) No 2759/75 in Annex I to Commission Regulation (EEC) No 3944/87 of 21 December 1987 fixing coefficients for calculating levies on pigmeat products (6), as last amended by Regulation (EEC) No 2242/91 (7);

Whereas the levies on the products specified in Article 1 (1) (c) of Regulation (EEC) No 2759/75 are made up of two components;

Whereas the first component must be derived from the levy on pig carcases on the basis of the coefficients fixed in Annex II to Regulation (EEC) No 3944/87;

(1) OJ No L 282, 1. 11. 1975, p. 1.
(2) OJ No L 129, 11. 5. 1989, p. 12.
(3) OJ No L 84, 29. 3. 1994, p. 5.
(4) OJ No L 282, 1. 11. 1975, p. 21.
(5) OJ No L 392, 31. 12. 1987, p. 46.
(6) OJ No L 373, 31. 12. 1987, p. 25.
(7) OJ No L 204, 27. 7. 1991, p. 21.

Whereas the second component must be equal to 7 %, and for products falling within CN codes ex 1602 and ex 1902 to 10 % of the average offer prices for imports during the 12 months to 1 April; whereas those averages should be determined bearing in mind all the information available on imports into the Community from third countries, taking into account the representative character of prices;

Whereas, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10 in respect of which the rate of duty has been bound under the General Agreement on Tariffs and Trade (GATT), the levies must not exceed the amount resulting from that binding;

Whereas for pig carcases and other products referred to in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate price for pig carcases [1], as last amended by Regulation (EEC) No 3909/87 [2], the sluice-gate prices must be fixed in advance for each quarter;

Whereas the sluice-gate price for pig carcases is made up of three components;

Whereas the first component must be equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feedingstuffs required for the production in third countries of one kilogram of pigmeat, such quantity being composed as provided in Article 2 (1) of Regulation (EEC) No 2766/75;

Whereas the value of that quantity of grain must be determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 2766/75;

Whereas the said Article 2 provides that the price for each cereal on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif prices shall be determined for the period of five months ending one month before the quarter in respect of which the said amount is calculated; whereas that period is 1 January to 31 May 1994;

Whereas the second component, which represents the extra cost, in relation to feed grain of feedingstuffs other than grain required for the production of one kilogram of pigmeat, shall, in accordance with Article 3 (1) of Regulation (EEC) No 2766/75, be 15 % of the value of the quantity of feed grain;

Whereas the third amount, which represents overhead costs of production and marketing, shall, in accordance with Article 3 (2) of Regulation (EEC) No 2766/75, be ECU 38,69 per 100 kilograms of pig carcases;

Whereas the sluice-gate prices of products referred to in Article 1 of Regulation (EEC) No 2766/75, other than pig carcases, must be derived from the sluice-gate price for pig carcases on the basis of the coefficients laid down by Regulation (EEC) No 3944/87;

Whereas, by Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries [3], as last amended by Regulation (EC) No 3668/93 [4], and Council Regulation (EEC) No 715/90 [5] on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States), as last amended by Regulation (EC) No 235/94 [6], special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain pigmeat products;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community [7], no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulations (EC) No 3491/93 [8] and (EC) No 3492/93 [9], on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republics of Hungary and Poland, of the other part, and Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part [10], as amended by Regulation (EEC) No 2235/93 [11], and in particular Article 1 thereof introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 2698/93 [12], as amended by Regulation (EC) No 3560/93 [13], lays down detailed rules for applying the arrangements provided for in these agreements as regards pigmeat;

[1] OJ No L 282, 1. 11. 1975, p. 25.
[2] OJ No L 370, 30. 12. 1987, p. 11.
[3] OJ No L 370, 31. 12. 1990, p. 121.
[4] OJ No L 338, 31. 12. 1993, p. 22.
[5] OJ No L 84, 30. 3. 1990, p. 85.
[6] OJ No L 30, 3. 2. 1994, p. 12.
[7] OJ No L 263, 19. 9. 1991, p. 1.
[8] OJ No L 319, 21. 12. 1993, p. 1.
[9] OJ No L 319, 21. 12. 1993, p. 4.
[10] OJ No L 56, 29. 2. 1992, p. 9.
[11] OJ No L 200, 10. 8. 1993, p. 5.
[12] OJ No L 245, 1. 10. 1993, p. 80.
[13] OJ No L 324, 24. 12. 1993, p. 42.

Whereas, in addition, account must be taken of Decision 94/1/ECSC, EC of the Council and Commission [1], concerning the conclusion of the Agreements on the European Economic Area, between the European Community, the European Coal and Steel Community and their Member States, on the one hand, and Austria, Finland, Iceland, Norway, Sweden and Liechtenstein, on the other hand, hereafter referred to as the 'EEA Agreement'; whereas the Bilateral Agreements on agriculture between the Community, on the one hand, and Austria and Finland, on the other hand, enter into force at the same time as the EEA Agreement; whereas Commission Regulation (EC) No 3580/93 [2] lays down detailed rules for the application of the import arrangements for these products originating in Austria and Finland;

Whereas Council Regulations (EC) No 3641/93 [3] and (EC) No 3642/93 [4] on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria and Romania, of the other part; whereas Commission Regulation (EC) No 1590/94 [5] lays down detailed rules for applying the arrangements provided for in these agreements as regards pigmeat;

Whereas Council Regulation (EC) No 774/94 of 29 March 1994 [6] has opened Community tariff quotas for certain agricultural products and fixed the levies to be applied on imports of those products; whereas Regulation (EC) No 1432/94 [7] has established the detailed rules of the import regime for pigmeat laid down in Regulation (EC) No 774/94;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

The levies fixed in this Regulation shall apply without prejudice to measures to be taken as a result of decisions which may be adopted by the Council at a later date, possibly with effect from 1 July 1994, as regards the monthly increases applicable to feed grain.

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, 30 June 1994.

For the Commission

René STEICHEN

Member of the Commission

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[1] OJ No L 1, 3. 1. 1994, p. 1.
[2] OJ No L 326, 28. 12. 1993, p. 16.
[3] OJ No L 333, 31. 12. 1993, p. 16.
[4] OJ No L 333, 31. 12. 1993, p. 17.
[5] See page 16 of this Official Journal.
[6] OJ No L 91, 8. 4. 1994, p. 1.
[7] OJ No L 156, 23. 6. 1994, p. 14.

ANNEX

to the Commission Regulation of 30 June 1994 fixing the sluice-gate prices and levies on pigmeat

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg) (3)	Conventional rate of duty bound within GATT (%)
0103 91 10	71,09	36,28	—
0103 92 11	60,16	30,85	—
0103 92 19	71,09	36,28 (4)	—
0203 11 10	92,44	47,17 (4) (5) (6)	—
0203 12 11	134,04	68,40 (4) (5) (6)	—
0203 12 19	103,53	52,84 (4) (5) (6)	—
0203 19 11	103,53	52,84 (4) (5) (6)	—
0203 19 13	149,75	76,42 (4) (5) (6) (7)	—
0203 19 15	80,42	41,04 (4) (5) (6)	—
0203 19 55	149,75	76,42 (4) (5) (6)	—
0203 19 59	149,75	76,42 (4) (5) (6)	—
0203 21 10	92,44	47,17 (4) (5) (6)	—
0203 22 11	134,04	68,40 (4) (5) (6)	—
0203 22 19	103,53	52,84 (4) (5) (6)	—
0203 29 11	103,53	52,84 (4) (5) (6)	—
0203 29 13	149,75	76,42 (1) (4) (5) (6)	—
0203 29 15	80,42	41,04 (4) (5) (6) (7)	—
0203 29 55	149,75	76,42 (1) (4) (5) (6)	—
0203 29 59	149,75	76,42 (4) (5) (6)	—
0206 30 21	111,85	57,08	7
0206 30 31	81,35	41,51	4
0206 41 91	111,85	57,08	7
0206 49 91	81,35	41,51	4
0209 00 11	36,98	18,87	—
0209 00 19	40,67	20,76	—
0209 00 30	22,19	11,32	—
0210 11 11	134,04	68,40 (1) (4)	—
0210 11 19	103,53	52,84 (4)	—
0210 11 31	260,68	133,03 (4) (5)	—
0210 11 39	205,22	104,73 (4)	—
0210 12 11	80,42	41,04 (1) (4)	—
0210 12 19	134,04	68,40 (4) (5)	—
0210 19 10	118,32	60,38 (4)	—
0210 19 20	129,42	66,04 (4)	—
0210 19 30	103,53	52,84 (4)	—
0210 19 40	149,75	76,42 (1) (4)	—
0210 19 51	149,75	76,42 (4)	—
0210 19 59	149,75	76,42 (4)	—
0210 19 60	205,22	104,73 (4)	—
0210 19 70	257,91	131,62 (4)	—
0210 19 81	260,68	133,03 (4) (5)	—
0210 19 89	260,68	133,03 (4)	—
0210 90 31	111,85	57,08	—
0210 90 39	81,35	41,51	—
1501 00 11	29,58	15,10	3
1501 00 19	29,58	15,10	—
1601 00 10	129,42	103,88 (2)	24

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg) (3)	Conventional rate of duty bound within GATT (%)
1601 00 91	217,23	153,17 (1) (2) (4) (5) (6)	—
1601 00 99	147,90	99,07 (1) (2) (4) (5) (6)	—
1602 10 00	103,53	56,96	26
1602 20 90	120,17	91,18	25
1602 41 10	226,48	159,74 (4) (6)	—
1602 42 10	189,50	124,56 (4) (6)	—
1602 49 11	226,48	163,67 (4) (6)	—
1602 49 13	189,50	121,31 (4) (6)	—
1602 49 15	189,50	117,28 (1) (4) (6)	—
1602 49 19	124,79	82,93 (1) (4) (6)	—
1602 49 30	103,53	70,33 (4) (6)	—
1602 49 50	61,93	59,49 (4) (6)	—
1602 90 10	120,17	82,59	26
1602 90 51	124,79	79,97	—
1902 20 30	61,93	51,01	—

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

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

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

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

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

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

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

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