COMMISSION REGULATION (EC) No 962/94

of 28 April 1994

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals [1], as amended by Commission Regulation (EEC) No 2193/93 [2], and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice [3], as last amended by Regulation (EEC) No 1544/93 [4], and in particular Article 12 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Commission Regulation (EEC) No 1620/93 of 25 June 1993 on the import and export system for products processed from cereals and rice [5], provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals [6], as last amended by Regulation (EEC) No 1740/78 [7], provides that the levy thus determined, increased by the fixed component, is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States [8], as last amended by Regulation (EC) No 235/94 [9];

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91 [10], as amended by Regulation (EEC) No 3714/92 [11], allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

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 [12] no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries [13], as last amended by Regulation (EC) No 3668/93 [14], reduces by 50 % the levy or importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

(1) OJ No L 181, 1. 7. 1992, p. 21.
(2) OJ No L 196, 5. 8. 1993, p. 22.
(3) OJ No L 166, 25. 6. 1976, p. 1.
(4) OJ No L 154, 25. 6. 1993, p. 5.
(5) OJ No L 155, 26. 6. 1993, p. 29.
(6) OJ No L 168, 25. 6. 1974, p. 7.
(7) OJ No L 202, 26. 7. 1978, p. 8.
(8) OJ No L 84, 30. 3. 1990, p. 85.
(9) OJ No L 30, 3. 2. 1994, p. 12.
(10) OJ No L 356, 24. 12. 1991, p. 1.
(11) OJ No L 378, 23. 12. 1992, p. 23.
(12) OJ No L 263, 19. 9. 1991, p. 1.
(13) OJ No L 370, 31. 12. 1990, p. 121.
(14) OJ No L 338, 31. 12. 1993, p. 22.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries [1], as last amended by Regulation (EEC) No 3909/92 [2], lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose [3], as amended by Regulation (EEC) No 222/88 [4], stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 1766/92 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 [5], as amended by Regulation (EC) No 3528/93 [6], are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 [7], as amended by Regulation (EC) No 547/94 [8],

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

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(1) OJ No L 43, 13. 2. 1987, p. 9.
(2) OJ No L 394, 31. 12. 1992, p. 23.
(3) OJ No L 281, 1. 11. 1975, p. 20.
(4) OJ No L 28, 1. 2. 1988, p. 1.
(5) OJ No L 387, 31. 12. 1992, p. 1.
(6) OJ No L 320, 22. 12. 1993, p. 32.
(7) OJ No L 108, 1. 5. 1993, p. 106.
(8) OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 28 April 1994 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (1)	
	ACP	Third countries (other than ACP)
0714 10 10 (1)	121,39	128,04
0714 10 91	125,02 (2) (6)	125,02
0714 10 99	123,21	128,04
0714 90 11	125,02 (2) (6)	125,02
0714 90 19	123,21 (2)	128,04
1102 20 10	175,28	181,32
1102 20 90	99,33	102,35
1102 30 00	112,52	115,54
1102 90 10	225,04	231,08
1102 90 30	180,22	186,26
1102 90 90	107,24	110,26
1103 12 00	180,22	186,26
1103 13 10	175,28	181,32
1103 13 90	99,33	102,35
1103 14 00	112,52	115,54
1103 19 10	218,48	224,52
1103 19 30	225,04	231,08
1103 19 90	107,24	110,26
1103 21 00	173,97	180,01
1103 29 10	218,48	224,52
1103 29 20	225,04	231,08
1103 29 30	180,22	186,26
1103 29 40	175,28	181,32
1103 29 50	112,52	115,54
1103 29 90	107,24	110,26
1104 11 10	127,52	130,54
1104 11 90	250,04	256,08
1104 12 10	102,12	105,14
1104 12 90	200,24	206,28
1104 19 10	173,97	180,01
1104 19 30	218,48	224,52
1104 19 50	175,28	181,32
1104 19 91	191,07	197,11
1104 19 99	189,25	195,29
1104 21 10	200,03	203,05
1104 21 30	200,03	203,05
1104 21 50	312,55	318,59
1104 21 90	127,52	130,54
1104 22 10 10 (3)	102,12	105,14
1104 22 10 90 (4)	180,22	183,24
1104 22 30	180,22	183,24
1104 22 50	160,19	163,21
1104 22 90	102,12	105,14
1104 23 10	155,81	158,83
1104 23 30	155,81	158,83
1104 23 90	99,33	102,35
1104 29 11	128,54	131,56
1104 29 15	161,44	164,46
1104 29 19	168,22	171,24
1104 29 31	154,64	157,66
1104 29 35	194,21	197,23
1104 29 39	168,22	171,24
1104 29 91	98,58	101,60
1104 29 95	123,81	126,83
1104 29 99	107,24	110,26
1104 30 10	72,49	78,53
1104 30 90	73,04	79,08
1106 20 10	121,39 (2)	128,04
1106 20 90	153,15 (2)	177,33
1108 11 00	212,63	233,18
1108 12 00	156,78	177,33
1108 13 00	156,78	177,33 (5)
1108 14 00	78,39	177,33
1108 19 10	161,35	192,18
1108 19 90	78,39 (2)	177,33
1109 00 00	386,60	567,94
1702 30 51	204,50	301,22
1702 30 59	156,78	223,27
1702 30 91	204,50	301,22
1702 30 99	156,78	223,27
1702 40 90	156,78	223,27
1702 90 50	156,78	223,27
1702 90 75	214,24	310,96
1702 90 79	148,99	215,48
2106 90 55	156,78	223,27
2302 10 10	44,67	50,67
2302 10 90	95,72	101,72
2302 20 10	44,67	50,67
2302 20 90	95,72	101,72
2302 30 10	44,67 (6)	50,67
2302 30 90	95,72 (6)	101,72
2302 40 10	44,67	50,67
2302 40 90	95,72	101,72
2303 10 11	194,76	376,10

(1) 6 % *ad valorem*, subject to certain conditions.

(2) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States :

— products falling within CN code ex 0714 10 91,

— products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,

— flours and meal of arrow-root falling within CN code 1106 20,

— arrow-root starch falling within CN code 1108 19 90.

(3) Taric code : clipped oats.

(4) Taric code : CN code 1104 22 10, other than 'clipped oats'.

(5) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.

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

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

(8) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.