



COUNCIL OF THE EUROPEAN COMMUNITIES

COMPILATION OF TEXTS XVIII

**ASSOCIATION
OF THE OVERSEAS COUNTRIES AND TERRITORIES
FRENCH OVERSEAS DEPARTMENTS**

1 January 1994 to 31 December 1994



COUNCIL OF THE EUROPEAN COMMUNITIES

COMPILATION OF TEXTS
XVIII

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FRENCH OVERSEAS DEPARTMENTS

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Part 1: OCTs

I. Basic texts

COUNCIL DECISION

of **26-04-1994**

**reducing the transfers to be paid
to the overseas countries and territories (OCT)
under the system for stabilizing export earnings
set up by Decision 91/482/EEC**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 ⁽¹⁾, and in particular Article 121(4) thereof,

Having regard to the proposal from the Commission,

(¹) OJ No L 263, 19.9.1991, p. 1.

Whereas, pursuant to Articles 118, 120 and 121 of Decision 91/482/EEC, ECU 1 200 000 has been made available to cover all commitments to the overseas countries and territories (OCTs) arising from the system for stabilizing export earnings for the 1992 year of application;

Whereas, under the system, transfer rights for the 1992 year of application have been established for two OCTs; whereas the transfer bases for these two OCTs, calculated in accordance with Article 124 of the said Decision, and reduced in accordance with Article 121(2) of the same Decision, total ECU 2 554 866;

Whereas this amount exceeds the ECU 1 200 000 available for the 1992 year of application; whereas the total transfer bases will therefore have to be further reduced by 53,0308%,

HAS DECIDED AS FOLLOWS:

Article 1

The transfer rights to compensate for losses of export earnings in the 1992 year of application, which amount to ECU 2 554 866, are hereby reduced by 53,0308%, giving rise to a final payment of ECU 1 200 000, which breaks down as follows:

<u>OCT</u>	<u>PRODUCT</u>	<u>TRANSFER BASIS</u>
French Polynesia	Copra oil	ECU 52 325
Falkland Islands	Wool	ECU 1 147 675

Article 2

This Decision shall take effect on the day of its adoption.

Done at Luxembourg, 26 -04- 1994

For the Council
The President

(s.)

G. MORAITIS

Certified true copy
For the Secretary-General

A. DUBOIS
Director-General

Part 1: OCTs

II. Implementing texts

A. Trade

COUNCIL REGULATION (EC) No 234/94
of 24 January 1994

concerning a technical adaptation of 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 or in the overseas countries and territories (OCT)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the African, Caribbean and Pacific States (ACP States) are granted exemption from customs duties for pineapples, avocados, guavas, mangoes and mangoosteens pursuant to the Fourth ACP-EEC Convention⁽¹⁾ and Regulation (EEC) No 715/90⁽²⁾;

Whereas, under Regulation (EEC) No 638/93⁽³⁾, with effect from 1 January 1993, the abovementioned products are included in Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽⁴⁾ and avocados, guavas, mangoes and mangoosteens are withdrawn from Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty⁽⁵⁾;

Whereas, the following the abovementioned amendment to Regulation (EEC) No 1035/72, a technical adaptation should be made to Regulation (EEC) No 715/90; whereas that adaptation should include the products in question in the table given in Article 15 listing fruit and vegetables

which may be imported free of customs duties; whereas that adaptation should take effect on the same date as the amendment to Regulation (EEC) No 1035/72,

HAS ADOPTED THIS REGULATION:

Article 1

The following products are hereby inserted in the table given in Article 15 (1) of Regulation (EEC) No 715/90:

CN code	Description
0804 30 00	Pineapples
0804 40	Avocados
0804 50 00	Guavas, mangoes and mangoosteens.

Article 2

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

It shall apply from 1 January 1993.

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

Done at Brussels, 24 January 1994.

For the Council
The President
G. MORAITIS

⁽¹⁾ OJ No L 229, 17. 8. 1991, p. 2.

⁽²⁾ OJ No L 84, 30. 3. 1990, p. 85. Regulation as last amended by Regulation (EEC) No 444/92 (OJ No L 52, 27. 2. 1992, p. 7).

⁽³⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EEC) No 746/93 (OJ No L 77, 31. 3. 1993, p. 4).

⁽⁵⁾ OJ No L 151, 30. 6. 1968, p. 16. Regulation as last amended by Regulation (EEC) No 2430/93 (OJ No L 223, 2. 9. 1993, p. 9).

COUNCIL REGULATION (EC) No 235/94

of 24 January 1994

amending 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 or in the overseas countries and territories (OCT)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 715/90 (*) laid down the arrangements applicable to agricultural products and to certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or the overseas countries and territories;

Whereas by letter of 8 October 1993 Eritrea stated that, after becoming independent on 24 May 1993, it intended to continue its participation in the Fourth ACP-EEC Convention as a contracting party; whereas in its Decision No 1/93 the ACP-EEC Council of Ministers expressed its agreement thereto;

Whereas the list in Annex I to Regulation (EEC) No 715/90 should be amended accordingly,

HAS ADOPTED THIS REGULATION :

Article 1

The name 'Eritrea' shall be inserted in Annex I to Regulation (EEC) No 715/90.

Article 2

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

It shall apply from 24 May 1993.

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

Done at Brussels, 24 January 1994.

For the Council

The President

G. MORAITIS

(*) OJ No L 84, 30. 3. 1990, p. 85. Regulation as last amended by Regulation (EC) No 234/94 (See page 11 of this Official Journal).

Part 1: OCTs

II. Implementing texts

A. Trade

COMMISSION REGULATION (EC) No 337/94
of 15 February 1994

on import licences for milk products and poultrymeat products originating in the African, Caribbean, and Pacific states or in the overseas countries and territories

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

Having regard 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 products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EC) No 235/94 ⁽²⁾, and in particular Article 27 thereof,

Whereas Article 4 (5) of Commission Regulation (EEC) No 903/90 ⁽³⁾, as amended by Regulation (EEC) No 1741/90 ⁽⁴⁾, 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 licence applications have been lodged from 1 to 10 January 1994;

Whereas Article 4 (5) of Regulation (EEC) No 903/90 stipulates that if the total quantity for which applications have been submitted is less than that available, the Commission is to determine the quantity remaining, which is to be added to that available for the following quarter; whereas the quantity available for the second six

months of 1994 of the products referred to in Article 6 of Regulation (EEC) No 715/90 should therefore be determined,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged in accordance with Regulation (EEC) No 903/90 for the period 1 January to 30 June 1994 shall be accepted in full.

Article 2

Licence applications may be lodged in accordance with Article 4 of Regulation (EEC) No 903/90 during the first 10 days of July 1994 for:

- 196 tonnes of products falling within CN code 0207,
- 250 tonnes of products falling within CN codes 1602 31 and 1602 39.

Article 3

This Regulation shall enter into force on 16 February 1994.

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

Done at Brussels, 15 February 1994.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.
⁽²⁾ OJ No L 30, 3. 2. 1994, p. 12.
⁽³⁾ OJ No L 93, 10. 4. 1990, p. 20.
⁽⁴⁾ OJ No L 161, 27. 6. 1990, p. 32.

COMMISSION REGULATION (EC) No 1780/94
of 20 July 1994

on import licences for poultrymeat products originating in the African, Caribbean, and Pacific states or in the overseas countries and territories

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

Having regard 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 products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EC) No 235/94 ⁽²⁾, and in particular Article 27 thereof,

Whereas Article 4 (5) of Commission Regulation (EEC) No 903/90 ⁽³⁾, as amended by Regulation (EEC) No 1741/90 ⁽⁴⁾, 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 licence applications have been lodged from 1 to 10 July 1994;

Whereas Article 4 (5) of Regulation (EEC) No 903/90 stipulates that if the total quantity for which applications have been submitted is less than that available, the

Commission is to determine the quantity remaining, which is to be added to that available for the following quarter; whereas the quantity available for the second six months of 1994 of the products referred to in Article 6 of Regulation (EEC) No 715/90 should therefore be determined;

Whereas Council Regulation (EEC) No 444/92 ⁽⁵⁾ extends until 29 February 2000 the application of Regulation (EEC) No 715/90,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged in accordance with Regulation (EEC) No 903/90 for the period 1 July to 30 December 1994 shall be accepted in full.

Article 2

This Regulation shall enter into force on the 21 July 1994.

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

Done at Brussels, 20 July 1994.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 12.

⁽³⁾ OJ No L 93, 10. 4. 1990, p. 20.

⁽⁴⁾ OJ No L 161, 27. 6. 1990, p. 32.

⁽⁵⁾ OJ No L 52, 27. 2. 1992, p. 7.

Part 1: OCTs

II. Implementing texts

A. Trade

COMMISSION REGULATION (EC) No 1746/94
of 15 July 1994

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 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) ⁽¹⁾, as modified by amended Regulation (EC) No 235/94 ⁽²⁾, and in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 ⁽³⁾, as modified by Regulation (EEC) No 2975/90 ⁽⁴⁾, 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 1994 and notified to the Commission shall be accepted.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 15 July 1994.

For the Commission

René STBICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.
⁽²⁾ OJ No L 30, 3. 2. 1994, p. 12.
⁽³⁾ OJ No L 114, 5. 5. 1990, p. 21.
⁽⁴⁾ OJ No L 283, 16. 10. 1990, p. 16.

Part 1: OCTs

II. Implementing texts

A. Trade

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1827/94

of 18 July 1994

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 the European Community (1994 to 1995)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Community⁽¹⁾, and in particular Annex V thereto,

Having regard to the proposal from the Commission,

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

Whereas until 31 December 1995 the Community sets the quantities which may be imported free of customs duties; whereas under the terms of the said Annex, the volume of the quota for the years 1994 and 1995 will be that of the previous year increased by 1 740 hectolitres of pure alcohol;

Whereas, the volume of the annual tariff quota for the period 1 July 1993 to 30 June 1994 is 15 000 hectolitres of pure alcohol; whereas this volume is to be increased by 870 hectolitres of pure alcohol for the second half of 1994 and by 870 hectolitres of pure alcohol for the first half of 1995; whereas the volume of the annual tariff quota for

the period 1 July 1994 to 30 June 1995 must be fixed at 16 740 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 the quotas 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1994 to 30 June 1995 the following products originating in the overseas countries and territories associated with the European Community 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 arrack	16 740	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 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 declarations, 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 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 1994.

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

Done at Brussels, 18 July 1994.

For the Council

The President

K. KINKEL

Part 2: FODs

A. Agricultural products

COMMISSION DECISION

of 20 June 1994

amending Commission Decision 93/542/EEC 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)

(94/363/EC)

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⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 11 thereof,

Whereas the final sentence of Article 5 of Commission Decision 93/542/EEC 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⁽³⁾ lays down that the final date for payments in connection with operations covered by the said programmes is to be 1 June 1994, non-compliance with the time limit resulting in loss of entitlement to Community financing;

Whereas the annual report on the programmes for the control of organisms harmful to plants and plant products in the French overseas departments for 1993 must be submitted to the Commission and to the Standing Committee on Plant Health by the competent authority no later than 31 May 1994;

Whereas the delay in implementing the said programmes was noted at the first meeting of the Monitoring Committee of these programmes;

Whereas the relevant official authorities of the French overseas departments are determined to complete all the said programmes in each of the French overseas departments concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 93/542/EEC is hereby amended as follows:

1. In the final sentence of Article 5, '1 June 1994' is replaced by '30 September 1994'.
2. In the first sentence of the second subparagraph of Annex II (I) (B) (II) (4), '31 March 1994' is replaced by '30 September 1994'.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 20 June 1994.

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 264, 23. 10. 1993, p. 53.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 5 October 1994

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 1994

(Only the French text is authentic)

(94/679/EC)

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⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾, and in particular the first subparagraph of Article 11 (3) thereof,

Whereas Commission Decision 93/522/EEC⁽³⁾ 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;

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

Whereas the action to be taken or stepped up in phytosanitary matters is exceptionally costly;

Whereas the action programme has been presented to the Commission by the relevant French authorities; whereas

this programme specifies the objectives to be achieved, the measures to be carried out, their duration and their cost so that the Community may, in appropriate circumstances, contribute to their financing;

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

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

HAS ADOPTED THIS DECISION:

Article 1

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 by France for 1994 is hereby approved.

Article 2

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

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

— reinforcement of the work of the FDGCBC (Departmental Federation of Crop Protection Groups),

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 251, 8. 10. 1993, p. 35.

- control of yam anthracnose,
 - a fruit fly survey,
 - strengthening of an agricultural information network,
 - pest risk assessment and establishment of flower quarantine facilities;
2. a sub-programme drawn up for the department of Guiana in five parts :
- the strengthening of a phytosanitary information network,
 - reinforcement of the work of groups combating crop pests,
 - reinforcement of analysis and diagnosis structures,
 - publication of a compendium on phytosanitary products suitable for use in Guiana,
 - a survey on fruit flies and a feasibility study on the eradication of *Dacus dorsalis*;
3. a sub-programme for the department of Réunion in three parts :
- the establishment of a phytosanitary analysis unit,
 - reinforcement of the resources of the FDGDEC (Federation of Crop Protection Groups),
 - a survey on fruit fly control;
4. a sub-programme for the department of Martinique in four 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 groups combating crop pests.

Article 3

The Community contribution to financing the programme is limited to a maximum of 60 % of the expenditure related to eligible measures as defined by Decision 93/522/EEC and is set for 1994 at ECU 1 000 000 out of a total expenditure of ECU 1 666 700 (VAT excluded).

The schedule of programme costs and their financing is set out as Annex I to this Decision. Should the total eligible expenditure for 1994, as presented by France, be

less than the anticipated amount of ECU 1 666 700, the Community's contribution shall be reduced proportionately.

The Community reimbursement shall be effected up to the amount indicated in the first paragraph, at the rate of the ecu as at 1 July 1994, namely FF 6,591,580.

Article 4

An advance of ECU 400 000, equal to 40 % of the Community contribution, shall be paid to France.

Article 5

The Community assistance shall relate to the eligible measures associated with the operations covered by the programme set up in France by provisions for which the necessary financial resources have been committed between 1 October and 31 December 1994. The final date for payments in connection with the operations shall be 30 September 1995, and any non-compliance without justification of delay shall entail loss of entitlement to Community financing.

Article 6

Provisions for the financial implementation of the programme, provisions on compliance with Community policies and the information to be supplied to the Commission by France are set out in Annex II.

Article 7

Any public contracts in connection with investments covered by the programme referred to in this Decision shall be governed by Community law and in particular by the Directives coordinating procedures for awarding public works and supply contracts, and by Articles 30, 52 and 59 of the Treaty.

Article 8

This Decision is addressed to the French Republic.

Done at Brussels, 5 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

FINANCIAL TABLE FOR 1994

(in thousands of ecu)

	Eligible expenses 1994		
	BC	National	Total
Guadeloupe	251,2	167,5	418,7
Martinique	263,9	176,0	439,9
Guiana	104,7	69,8	174,5
Réunion	380,2	253,4	633,6
Total	1 000,0	666,7	1 666,7

ANNEX II

I. PROVISIONS ON THE IMPLEMENTATION OF THE PROGRAMME

A. Provisions on 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.

Commitments 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 Commission according to Article 16a of Council Directive 77/93/EEC⁽¹⁾.
5. Following commitment a first advance of 40 % of the amount committed is made.
6. The balance of the amount committed is paid as two equal payments, each of 30 % of the total amount committed. The first part of the balance is paid upon presentation to the Commission of the first interim report of activity and after it has been approved by the Commission. The second and final part of the balance is paid upon presentation to the Commission of the detailed total expenditure made, and after approval by the Commission of the final report of 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

— Guyana :

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 la forêt
 Parc de la Providence
 97489 Saint-Denis

⁽¹⁾ OJ No L 26, 31. I. 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 pursuant to 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 ecus.
Financial schedules for Community support frameworks and amounts of Community aid shall be expressed in ecus 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 withdrawal of aid

13. France 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, 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 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, composed of representatives of France and the Commission. It shall review implementation of the programme and, where appropriate, propose any adjustments required.

2. The committee shall establish its own internal procedures 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 respects 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, and 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. By continuous monitoring is meant 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. Within three months of its appointment this authority shall present to the Commission a proposal for standard presentation of implementation reports.

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

The final report on the present programme will be presented by the competent authority to the Commission and to the Standing Committee on Plant Health on 31 December 1995 at the latest.

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. 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.

C. Information and publicity

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

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' (1) 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 thresholds will be those in force on the date of notification of this Decision.

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,
- a report on consultations with the responsible environmental authorities (opinion of the Ministry for 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.

(1) Commission notification to the Member States C(88) 2510 (OJ No C 22, 28. 1. 1989, p. 3) on monitoring of compliance with public procurement rules in the projects and programmes financed by the structural funds and financial tools.

Part 2: FODs

B. Cereals

COMMISSION REGULATION (EC) No 329/94

of 14 February 1994

amending Regulation (EEC) No 388/92 of 23 December 1992 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (fod) and establishing a forecast supply balance

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⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾ and in particular Article 2 (6) thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance of cereal products to the fod for 1993 was established by Commission Regulation (EEC) No 388/92⁽³⁾, as last amended by Regulation (EEC) No 2300/93⁽⁴⁾; whereas this forecast supply balance for 1994 should be drawn up; whereas, subsequently, Regulation (EEC) No 388/92 should be amended;

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

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

Done at Brussels, 14 February 1994.

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

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

This Regulation shall be applicable as from 1 January 1994.

For the Commission

René STRICHEN

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. 16.
⁽⁴⁾ OJ No L 208, 19. 8. 1993, p. 21.

ANNEX

CEREALS SUPPLY BALANCE FOR THE FOD FOR 1994

First half of 1994

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EEC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	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	20 000	80 000	—	1 500
Total	66 000	0	27 500	104 000	1 500	2 750

201 750

Second half of 1994

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EEC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	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	20 000	80 000	—	1 500
Total	66 000	0	27 500	104 000	1 500	2 750

201 750

COMMISSION REGULATION (EC) No 415/94

of 25 February 1994

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 ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 174/94 ⁽⁴⁾; 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 March 1994.

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

Done at Brussels, 25 February 1994.

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 24, 29. 1. 1994, p. 28.

ANNEX

to the Commission Regulation of 25 February 1994 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			
	Guyane	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	52,00	52,00	52,00	55,00
Barley (1003 00 80)	80,00	80,00	80,00	83,00
Maize (1005 90 00)	44,00	44,00	44,00	52,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 672/94

of 25 March 1994

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⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 415/94⁽⁴⁾; 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 April 1994.

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

Done at Brussels, 25 March 1994.

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 55, 26. 2. 1994, p. 11.

ANNEX

to the Commission Regulation of 25 March 1994 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 90)	85,00	85,00	85,00	88,00
Maize (1005 90 00)	51,00	51,00	51,00	62,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 974/94

of 29 April 1994

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 ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 672/94 ⁽⁴⁾; 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 May 1994.

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

Done at Brussels, 29 April 1994.

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 83, 26. 3. 1994, p. 20.

ANNEX

to the Commission Regulation of 29 April 1994 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)	72,00	72,00	72,00	75,00
Barley (1003 00 90)	86,00	86,00	86,00	89,00
Maize (1005 90 00)	66,00	66,00	66,00	72,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 1204/94

of 27 May 1994

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 ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 974/94 ⁽⁴⁾; 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 1994.

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

Done at Brussels, 27 May 1994.

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 111, 30. 4. 1994, p. 12.

ANNEX

to the Commission Regulation of 27 May 1994 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)	75,00	75,00	75,00	78,00
Barley (1003 00 90)	83,00	83,00	83,00	86,00
Maize (1005 90 00)	68,00	68,00	68,00	73,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 1549/94

of 30 June 1994

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 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⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾, 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⁽³⁾, as last amended by Commission Regulation (EEC) No 1974/93⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EEC) No 1974/93, 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⁽⁶⁾, as amended by Commission Regulation (EEC) No 2193/93⁽⁷⁾, and in particular Article 26 (3) thereof,

Whereas Article 6 of Commission Regulations (EEC) No 388/92⁽⁸⁾, as last amended by Regulation (EEC) No 329/94⁽⁹⁾, (EEC) No 1727/92⁽¹⁰⁾, as last amended by Regulation (EC) No 1075/94⁽¹¹⁾, and (EEC) No 1728/92⁽¹²⁾, as last amended by Regulation (EC) No 1157/94⁽¹³⁾, 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⁽¹⁴⁾, as last amended by Regulation (EEC)

No 2596/93⁽¹⁵⁾, as regards the French overseas departments and in accordance with Article 4 (7) of Commission Regulation (EEC) No 1695/92⁽¹⁶⁾, as last amended by Regulation (EEC) No 2596/93, and (EEC) No 1696/92⁽¹⁷⁾, as last amended by Regulation (EEC) No 2596/93, 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 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 1993/94 to the 1994/95 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 other than maize and sorghum presented for entry on the aid certificate were dispatched prior to 1 July 1994, or, in the case of maize or sorghum before 1 October 1994.

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 180, 23. 7. 1993, p. 26.

⁽⁵⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁶⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁷⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽⁸⁾ OJ No L 43, 19. 2. 1992, p. 16.

⁽⁹⁾ OJ No L 42, 15. 2. 1994, p. 3.

⁽¹⁰⁾ OJ No L 179, 1. 7. 1992, p. 101.

⁽¹¹⁾ OJ No L 120, 11. 3. 1994, p. 1.

⁽¹²⁾ OJ No L 179, 1. 7. 1992, p. 104.

⁽¹³⁾ OJ No L 130, 21. 3. 1994, p. 9.

⁽¹⁴⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽¹⁵⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽¹⁶⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽¹⁷⁾ 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, 30 June 1994.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EC) No 1568/94

of 30 June 1994

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⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 1204/94⁽⁴⁾; 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 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 STBICHEN

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 133, 28. 5. 1994, p. 13.

ANNEX

to the Commission Regulation of 30 June 1994 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			
	Guyane	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	53,00	53,00	53,00	56,00
Barley (1003 00 90)	73,00	73,00	73,00	76,00
Maize (1005 90 00)	76,00	76,00	76,00	79,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 1932/94

of 29 July 1994

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⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 1568/94⁽⁴⁾; 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 August 1994.

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

Done at Brussels, 29 July 1994.

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 166, 1. 7. 1994, p. 89.

ANNEX

to the Commission Regulation of 29 July 1994 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 90)	76,00	76,00	76,00	79,00
Maise (1005 90 00)	71,00	71,00	71,00	74,00
Durum wheat (1001 10 00)	11,00	11,00	11,00	14,00

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2101/94
of 26 August 1994**

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⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 1932/94⁽⁴⁾; 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 1994.

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

Done at Brussels, 26 August 1994.

For the Commission
René STRICHEN
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 198, 30. 7. 1994, p. 23.

ANNEX

to the Commission Regulation of 26 August 1994 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)	46,00	46,00	46,00	49,00
Barley (1003 00 90)	64,00	64,00	64,00	67,00
Maize (1005 90 00)	76,00	76,00	76,00	79,00
Durum wheat (1001 10 00)	39,00	39,00	39,00	42,00

COMMISSION REGULATION (EC) No 2368/94
of 30 September 1994

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 ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2101/94 ⁽⁴⁾; 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 October 1994.

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

Done at Brussels, 30 September 1994.

For the Commission

René STICHEN

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 223, 27. 8. 1994, p. 1.

ANNEX

to the Commission Regulation of 30 September 1994 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			
	Gundeloupe	Martinique	French Guinea	Réunion
Common wheat (1001 90 99)	29,00	29,00	29,00	32,00
Barley (1003 00 90)	55,00	55,00	55,00	58,00
Maize (1005 90 00)	64,00	64,00	64,00	67,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 2626/94

of 28 October 1994

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 ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2368/94 ⁽⁴⁾; 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 1994.

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

Done at Brussels, 28 October 1994.

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 255, 1. 10. 1994, p. 31.

ANNEX

to the Commission Regulation of 28 October 1994 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)	27,00	27,00	27,00	30,00
Barley (1003 00 90)	54,00	54,00	54,00	57,00
Maize (1005 90 00)	62,00	62,00	62,00	65,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2853/94

of 25 November 1994

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 ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2626/94 ⁽⁴⁾; 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 December 1994.

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

Done at Brussels, 25 November 1994.

For the Commission

René STBICHEN

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 280, 29. 10. 1994, p. 12.

ANNEX

to the Commission Regulation of 25 November 1994 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)	28,00	28,00	28,00	31,00
Barley (1003 00 90)	54,00	54,00	54,00	57,00
Maize (1005 90 00)	62,00	62,00	62,00	65,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 3101/94
of 19 December 1994

amending Regulation (EEC) No 388/92 of 23 December 1992 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance

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⁽¹⁾, as last amended by Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 2 (6) thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance of cereal products to the FOD for 1994 was established by Commission Regulation (EEC) No 388/92⁽³⁾, as last amended by Regulation (EC) No 1549/94⁽⁴⁾; whereas this forecast supply balance for 1994 should be drawn up; whereas, subsequently, Regulation (EEC) No 388/92 should 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

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

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 applicable as from 1 January 1995.

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

Done at Brussels, 19 December 1994.

For the Commission

René STREICHEN

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. 16.
⁽⁴⁾ OJ No L 166, 1. 7. 1994, p. 41.

ANNEX

CEREALS SUPPLY BALANCE FOR THE FOD FOR 1995

First half of 1995

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	35 000	0	500	8 000	—	100
Martinique	4 000	0	500	12 000	1 250	500
French Guiana	1 000	0	500	1 000	—	—
Réunion	20 000	0	15 000	65 000	—	1 750
Total	60 000	0	16 500	86 000	1 250	2 350

166 100

Second half of 1995

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	35 000	0	500	8 000	—	100
Martinique	12 000	0	500	12 000	1 250	500
French Guiana	1 000	0	500	1 000	—	—
Réunion	20 000	0	15 000	65 000	—	1 750
Total	68 000	0	16 500	86 000	1 250	2 350

174 100

COMMISSION REGULATION (EC) No 3198/94

of 23 December 1994

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 ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2853/94 ⁽⁴⁾; 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 1995.

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

Done at Brussels, 23 December 1994.

For the Commission

René STBICHEN

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 303, 26. 11. 1994, p. 1.

ANNEX

to the Commission Regulation of 23 December 1994 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			
	Guyane	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	29,00	29,00	29,00	32,00
Barley (1003 00 90)	55,00	55,00	55,00	58,00
Maize (1005 90 00)	64,00	64,00	64,00	67,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

Part 2: FODs

C. Beef and veal

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 March 1994

approving the programmes for the eradication of anaplasmosis and babesiosis in Reunion and of cowdriosis and babesiosis in Guadeloupe and Martinique presented by France and fixing the Community financial contribution

(Only the French text is authentic)

(94/148/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Commission Decision 94/77/EC⁽²⁾, and in particular Article 24 (3) and (4) thereof,

Whereas Article 24 of Decision 90/424/EEC provides, *inter alia*, for the possibility of a Community financial measure for the eradication and monitoring of cowdriosis, babesiosis and anaplasmosis transmitted by insect vectors in the French overseas departments;

Whereas, by letter dated 26 January 1994, France presented a programme for the eradication of anaplasmosis and babesiosis in Reunion and a programme for the eradication of cowdriosis and babesiosis in Guadeloupe and Martinique;

Whereas, after examination, those programmes have been found to fulfil all the Community criteria for the eradication of diseases, pursuant to Council Decision 90/638/EEC of 27 November 1990 laying down Com-

munity criteria for the eradication and monitoring of certain animal diseases⁽³⁾, as last amended by Directive 92/65/EEC⁽⁴⁾;

Whereas a Community financial contribution will be made provided the planned measures are carried out and the authorities supply all the necessary information; whereas the Community financial contribution should be set at 50 % of the expenditure borne by France;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programme for the eradication of anaplasmosis and babesiosis in Reunion presented by France is approved for a period of one year. The main features of the programme are given in Annex I.
2. The programme for the eradication of cowdriosis and babesiosis in Guadeloupe and Martinique presented by France is approved for a period of one year. The main features of the programme are given in Annex II.

(1) OJ No L 224, 18. 8. 1990, p. 19.

(2) OJ No L 36, 8. 2. 1994, p. 15.

(3) OJ No L 347, 12. 12. 1990, p. 27.

(4) OJ No L 268, 14. 9. 1992, p. 54.

Article 2

France shall bring into force the legal, regulatory and administrative provisions for the implementation of the programmes referred to in Article 1 on 1 April 1994.

Article 3

1. The Community financial contribution shall be 50 % of the cost of the programmes up to a maximum of:

- ECU 255 000 for the programme referred to in Article 1 (1),
- ECU 1 397 000 for the programme referred to in Article 1 (2).

2. The Community financial contribution shall be granted subject to:

- the submission to the Commission, every three months, of a report on progress made on each of the programmes and on the expenditure incurred,

- the submission to the Commission, by 1 July 1995 at the latest, of a final report on the technical implementation of each of the programmes accompanied by supporting documentation in respect of the expenditure incurred.

3. The Community financial contribution shall be paid in ecus at the rate applying on the first working day of the month in which the application for reimbursement is submitted, as published in the *Official Journal of the European Communities*.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 8 March 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***PROGRAMME FOR THE ERADICATION OF ANAPLASMOSIS AND BABESIOSIS IN REUNION**

The programme provides for the following:

- an accurate census of the total cattle population,
- targeted chemical control of stomoxys and ticks,
- biological control involving the breeding and release of parasitized stomoxys larvae,
- control of and establishment of a health report on diseases transmitted by stinging insects using epidemiological monitoring techniques.

Estimated cost of the measure for the Community budget: ECU 255 000.

*ANNEX II***PROGRAMME FOR THE ERADICATION OF COWDRIOSIS AND BABESIOSIS IN GUADELOUPE AND MARTINIQUE**

The programme provides for the following:

- an accurate census of the total animal population,
- targeted chemical control of ticks.

Estimated cost of the measure for the Community budget: ECU 1 397 000.

COMMISSION REGULATION (EC) No 1621/94
of 4 July 1994

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⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾, 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-breed 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 1994/95 marketing year should be determined;

Whereas the quantities of the forecast supply balances for those products were fixed by Regulation (EEC) No 2312/93⁽³⁾ and (EEC) No 1148/93⁽⁴⁾, as last amended by Regulation (EEC) No 2789/93⁽⁵⁾;

Whereas, pending further information to be supplied by the competent authorities, and in order to guarantee continuity of the specific supply arrangements, the balance laid down in Article 2 of Regulation (EEC) No 1601/92 should be adopted for a period limited to

three months on the basis of the quantities determined 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 Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2312/92 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 Regulation (EEC) No 1148/93 is hereby replaced by Annex III to this Regulation.

Article 4

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

It shall apply with effect from 1 July 1994.

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

Done at Brussels, 4 July 1994.

For the Commission
René STBICHEN
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 222, 7. 8. 1992, p. 32.
⁽⁴⁾ OJ No L 116, 12. 5. 1993, p. 15.
⁽⁵⁾ OJ No L 254, 12. 10. 1993, p. 1.

ANNEX I

ANNEX I

PART 1

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

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	225

PART 2

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

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	190'

ANNEX II

ANNEX III

PART 1

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

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	45	1 000

PART 2

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

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	45	1 000

PART 3

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

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

PART 4

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

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	10	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 to 30 September 1994

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	4	1 000

PART 2

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

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	3	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, 18. 8. 1990, p. 55).

COMMISSION REGULATION (EC) No 2491/94
of 14 October 1994

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 departments with live bovine animals and breeding horses

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⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾, 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 1994/95 marketing year should be determined;

Whereas the quantities of the forecast supply balances for those products were fixed by Commission Regulations (EEC) No 2312/92⁽³⁾ and (EEC) No 1148/93⁽⁴⁾, as last amended by Regulation (EC) No 1621/94⁽⁵⁾;

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 Regulation (EEC) No 2312/92 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 Regulation (EEC) No 1148/93 is hereby replaced by Annex III to this Regulation.

Article 4

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

It shall apply with effect from 1 July 1994.

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

Done at Brussels, 14 October 1994.

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 222, 7. 8. 1992, p. 32.
(4) OJ No L 116, 12. 5. 1993, p. 13.
(5) OJ No L 170, 5. 7. 1994, p. 20.

ANNEX I

ANNEX I

PART 1

Supply balance for Réunion for male bovine animals for fattening for the period 1 July 1994 to 30 June 1995

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	700

PART 2

Supply balance for Guyana for male bovine animals for fattening for the period 1 July 1994 to 30 June 1995

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	0

ANNEX II

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period
1 July 1994 to 30 June 1995

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 1994 to 30 June 1995

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	350	1 000

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period
1 July 1994 to 30 June 1995

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 1994 to 30 June 1995

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	50	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 1994 to 30 June 1995

<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 1994 to 30 June 1995

<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/EBC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 20. 8. 1990, p. 35).

COMMISSION REGULATION (EC) No 3023/94
of 13 December 1994

amending Regulations (EEC) No 1912/92, (EEC) No 2254/92, (EEC) No 2255/92 and (EEC) No 2312/92 laying down detailed rules for implementing the specific arrangements for supplying the Canary Islands, Madeira and the French overseas departments with live bovine animals

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

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⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93⁽²⁾, and in particular Articles 4 (4) and 5 (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⁽³⁾, as last amended by Regulation (EEC) No 1974/93, and in particular Article 10 thereof,

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⁽⁴⁾, as amended by Commission Regulation (EEC) No 3714/92⁽⁵⁾, and in particular Article 9 thereof,

Whereas the aid for the products from the Community market contained in the forecast supply balance was fixed by Commission Regulations (EEC) No 1912/92⁽⁶⁾, (EEC) No 2254/92⁽⁷⁾, both as last amended by Regulation (EC) No 3022/94⁽⁸⁾, (EEC) No 2255/92⁽⁹⁾, as last amended by Regulation (EC) No 2490/94⁽¹⁰⁾, and (EEC) No 2312/92⁽¹¹⁾, as last amended by Regulation (EC) No 2491/94⁽¹²⁾;

Whereas as a result of the application of the criteria for the determination of Community aid to the current market situation and, in particular, to the quotations and prices for bovine animals in the European part of the Community and on the world market and the amendment of the code of certain products eligible for aid, the aid for the supply of the Canary Islands, Madeira and the French overseas departments with these products is as given in the Annex;

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex II to Commission Regulations (EEC) No 2254/92, (EEC) No 2255/92 and (EEC) No 2312/92 is hereby replaced by Annex I hereto.

2. The amount of aid referred to in Annex III to Regulation (EEC) No 1912/92 is replaced by the amount given in Annex II hereto.

Article 2

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

It shall apply with effect from 1 December 1994.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽⁴⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽⁵⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 31.

⁽⁷⁾ OJ No L 219, 4. 8. 1992, p. 34.

⁽⁸⁾ See page 4 of this Official Journal.

⁽⁹⁾ OJ No L 219, 4. 8. 1992, p. 37.

⁽¹⁰⁾ OJ No L 265, 15. 10. 1994, p. 19.

⁽¹¹⁾ OJ No L 222, 7. 8. 1992, p. 32.

⁽¹²⁾ OJ No L 265, 15. 10. 1994, p. 21.

*ANNEX I**ANNEX II*

Amounts of aid that can be granted to male bovine animals for fattening coming from the Community market

<i>(ECU/head)</i>	
CN code	Amount of aid
ex 0102 90 05	75
ex 0102 90 29	150
ex 0102 90 49	200
0102 90 79	300 ⁽¹⁾

*ANNEX II**ANNEX III*

Amount of aid that can be granted in the Canary Islands for pure-bred breeding bovines originating in the Community

<i>(ECU/head)</i>		
CN code	Description	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	750

⁽¹⁾ Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

COMMISSION DECISION

of 20 December 1994

approving the 1995 programmes for the eradication of anaplasmosis and babesiosis in Réunion and of cowdriosis and babesiosis in Guadeloupe and Martinique presented by France and fixing the Community financial contribution

(Only the French text is authentic)

(94/952/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Council Decision 94/370/EC ⁽²⁾, and in particular Article 24 (6) thereof,

Whereas Decision 90/424/EEC provides, in particular, for the possibility of a Community financial measure for the eradication and monitoring of cowdriosis, babesiosis and anaplasmosis transmitted by insect vectors in the French overseas departments;

Whereas, by letter dated 13 July 1994, France presented a programme for the eradication of anaplasmosis and babesiosis in Réunion and a programme for the eradication of cowdriosis and babesiosis in Guadeloupe and Martinique;

Whereas, after examination, those programmes have been found to fulfil all the Community criteria for the eradication of diseases, pursuant to Council Decision 90/638/EEC of 27 November 1990 laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽³⁾, as last amended by Directive 92/65/EEC ⁽⁴⁾;

Whereas these programmes are included in the list of programmes for the eradication and monitoring of animal diseases which may receive a financial contribution from the Community in 1995, as laid down in Commission Decision 94/769/EC ⁽⁵⁾;

Whereas in view of the programmes' important role in achieving the objectives pursued by the Community as

regards animal health, the Community's financial contribution should be set at 50 % of the costs borne by France, up to a maximum of ECU 1 300 000;

Whereas the Community will make a financial contribution provided that the measures planned are carried out and the authorities supply all the information necessary within the time limit laid down;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programme for the eradication of anaplasmosis and babesiosis in Réunion presented by France is approved for the period 1 January to 31 December 1995.
2. The programme for the eradication of cowdriosis and babesiosis in Guadeloupe and Martinique presented by France is approved for the period 1 January to 31 December 1995.

Article 2

France shall bring into force on 1 January 1995 the laws, regulations and administrative provisions to implement the programme referred to in Article 1.

Article 3

1. The Community financial contribution shall be 50 % of the cost borne by France for the implementation of the programmes referred to in Article 1, up to a maximum of:

— ECU 205 000 for the programme referred to in Article 1 (1),

— ECU 1 095 000 for the programme referred to in Article 1 (2).

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁴⁾ OJ No L 268, 13. 7. 1992, p. 54.

⁽⁵⁾ OJ No L 305, 30. 11. 1994, p. 38.

2. The Community's financial contribution shall be granted after:

- a quarterly report has been forwarded to the Commission on the progress of each programme and the expenditure incurred,
- a final report has been forwarded to the Commission by 1 June 1996 at the latest on the technical implementation of each programme, accompanied by supporting documents relating to the expenditure incurred.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 20 December 1994.

For the Commission
René STEICHEN
Member of the Commission

Part 2: FODs

D. Sugar

COMMISSION REGULATION (EC) No 455/94
of 28 February 1994

determining for the period 1 March 1994 to 30 June 1994 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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, 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⁽³⁾, 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 1786/93⁽⁴⁾, as amended by Regulation (EEC) No 2930/93⁽⁵⁾, on the basis of a forward estimate covering the period 1 July 1993 to 28 February 1994;

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

Done at Brussels, 28 February 1994.

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 1993/94 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 referred to in Article 3 (2) of Regulation (EEC) No 2225/86 shall be fixed for the period 1 March to 30 June 1994 in accordance with Annex I hereto.

Article 2

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

It shall apply with effect from 1 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.
⁽³⁾ OJ No L 194, 17. 7. 1986, p. 7.
⁽⁴⁾ OJ No L 163, 6. 7. 1993, p. 11.
⁽⁵⁾ OJ No L 265, 26. 10. 1993, p. 8.

ANNEX

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

(Period from 1 March to 30 June 1994)

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	31	0	0	0

COMMISSION REGULATION (EC) No 1459/94

of 24 June 1994

determining for the period 1 July 1994 to 28 February 1995 the quantities of raw sugar produced in the French overseas departments on which the refining aid specified in Council Regulation (EEC) No 2225/86 may be granted and amending Regulation (EC) No 455/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, 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 ⁽³⁾, and in particular the second subparagraph of Article 3 ⁽²⁾ thereof,

Whereas Article 3 of Regulation (EEC) No 2225/86 states the 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 1994/95 marketing year will not be finally known until towards the end of January 1995; 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 1994 to 28 February 1995;

Whereas Commission Regulations (EEC) No 1786/93 ⁽⁴⁾ and (EC) No 455/94 ⁽⁵⁾ determined the quantities of raw sugar produced in the French overseas departments for the 1993/1994 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 1994/95; whereas it should be specified that the refining aid is to be granted on these quantities against those set in the Annex I to Regulation (EEC) No 1786/93 and in the Annex of Regulation (EC) No 455/94 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 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 1994 to 28 February 1995 at the amounts shown in Annex to this Regulation.

Article 2

For raw sugar out of the quantities indicated in Annex I to Regulation (EEC) No 1786/93 and in the Annex to Regulation (EC) No 455/94 that is refined from 1 July 1994 onwards, the refining aid valid for the 1994/95 marketing year under Article 3 of Regulation (EEC) No 2225/86 shall be applicable. The refined quantities in question shall be charged against the amounts stipulated in Annex I to Regulation (EEC) No 1786/93 and in the Annex to Regulation (EC) No 455/94 for the 1993/94 marketing year.

Article 3

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.
⁽³⁾ OJ No L 194, 17. 7. 1986, p. 7.
⁽⁴⁾ OJ No L 163, 6. 7. 1993, p. 11.
⁽⁵⁾ OJ No L 57, 1. 3. 1994, p. 48.

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

Done at Brussels, 24 June 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

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

(Period from 1 July 1994 to 28 February 1995)

From the French overseas departments	For refining in			
	Metropolitan France	Portugal	United Kingdom	Other regions of the Community
1. Réunion	158	0	0	0
2. Guadeloupe and Martinique	3	0	0	0

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2516/94
of 18 October 1994

amending Regulation (EC) No 455/94, determining for the period 1 March to 30 June 1994 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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, 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 ⁽³⁾, 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 these quantities were fixed by Commission Regulation (EC) No 455/94 ⁽⁴⁾, on the

basis of a forward estimate covering the period 1 July 1993 to 30 June 1994;

Whereas a quantity of 18 000 tonnes was indicated in the forward estimate as not available for refining in France within the meaning of the Community rules; whereas it now transpires that this quantity is likely to be refined in accordance with the conditions laid down in the said rules and the Annex to Regulation (EC) No 455/94 should accordingly be corrected with effect from 1 March 1994;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 455/94 shall be replaced by the Annex hereto.

Article 2

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

It shall apply with effect from 1 March 1994.

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

Done at Brussels, 18 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 194, 17. 7. 1986, p. 7.

⁽⁴⁾ OJ No L 57, 1. 3. 1994, p. 48.

ANNEX

Quantities for raw cane sugar, expressed in 1000 tonnes of white sugar:

(Period from 1 March to 30 June 1994)

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	49	0	0	0

Part 2: FODs

E. Fisheries

COUNCIL REGULATION (EC) No 1503/94

of 27 June 1994

establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their very remote location

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

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

Having regard to the opinion of the European Parliament (2),

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

Having regard to the current difficulties of the European Union's fisheries sector, which are particularly aggravated by the cost of transporting fisheries products to markets on account of the remoteness and isolation of the outermost regions of the Community,

Whereas, by Decisions 89/687/EEC (4), 91/314/EEC (5) and 91/315/EEC (6), the Council established, as part of the Community's policy in favour of its outermost regions, programmes of options specific to the remote and insular nature of the French overseas departments (Poseidom), the Canary Islands (Poseican) and Madeira and the Azores (Poseima) respectively, laying down the general outlines of measures to be applied to take account of the special characteristics of, and constraints on, those regions;

Having regard to the success of similar initiatives which have already been undertaken,

Whereas those regions are suffering from specific development problems, in particular the additional costs incurred in the marketing of certain products as a result of their remoteness; whereas, in order to maintain the competitiveness of certain fishery products in relation to similar products from other Community regions, Community measures have been applied in the fisheries sector in 1992 and 1993 to compensate for the additional costs incurred in the processing of tuna in the Azores and Madeira and the production and freezing of tuna and the freezing and processing of sardines in the Canary Islands;

whereas a system of compensation for the additional costs incurred in the processing and marketing of those products should be provided for at Community level from 1994 and measures should therefore be adopted providing for the continuation of the existing measures, as well as an arrangement made for compensating the additional costs for the freezing and processing of mackerel in the Canary Islands;

Whereas measures should be laid down for the fisheries sector, under the Poseidom programme, to improve the marketing conditions for prawns produced in the French department of Guiana,

HAS ADOPTED THIS REGULATION:

Article 1

A system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their very remote location is hereby established.

Article 2

1. For the Azores and Madeira, the system referred to in Article 1 shall consist of the payment of ECU 155 per tonne up to a maximum of 15 000 tonnes of tuna per year delivered to local industry, namely 10 000 tonnes for the Azores and 5 000 tonnes for Madeira.

2. For the Canary Islands, the system referred to in Article 1 shall consist of the payment of ECU 125 per tonne, up to a maximum of 10 400 tonnes per year, of tuna for marketing fresh, ECU 45 per tonne, up to a maximum of 3 500 tonnes per year, of frozen tuna, ECU 85 per tonne, up to a maximum of 10 500 tonnes per year, of sardines and mackerel for canning and ECU 45 per tonne, up to a maximum of 7 000 tonnes per year of sardines and mackerel for freezing.

3. For the French department of Guiana, the system referred to in Article 1 shall consist of the payment of ECU 865 per tonne of prawns, up to a maximum of 3 500 tonnes per year, for industrial fishing and ECU 930 per tonne of prawns, up to a maximum of 500 tonnes per year, for non-industrial fishing.

(1) OJ No C 4, 6. 1. 1994.
 (2) OJ No C 128, 9. 5. 1994.
 (3) OJ No C 133, 16. 5. 1994, p. 30.
 (4) OJ No L 399, 30. 12. 1989, p. 39.
 (5) OJ No L 171, 29. 6. 1991, p. 1.
 (6) OJ No L 171, 29. 6. 1991, p. 10.

Article 3

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 32 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾.

Article 4

The measures provided for in this Regulation are measures intended to stabilize the agricultural markets within the meaning of Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of

the common agricultural policy⁽²⁾. They are to be financed by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

Article 5

This Regulation is established for 1994. Before the end of that period, the Commission shall reassess the situation and, taking account of the budgetary implications, shall submit appropriate proposals if necessary.

Article 6

This Regulation shall enter into force on 1 July 1994. It shall apply from 1 January 1994.

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

Done at Luxembourg, 27 June 1994.

For the Council

The President

C. SIMITIS

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

COMMISSION REGULATION (EC) No 1784/94
of 19 July 1994
concerning the stopping of fishing for Greenland halibut by vessels flying the flag of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3693/93 of 21 December 1993 allocating, for 1994, Community catch quotas in Greenland waters⁽²⁾ provides for Greenland halibut quotas for 1994;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of Greenland halibut in the waters of ICES divisions V and XIV (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quota

allocated for 1994; whereas the United Kingdom has prohibited fishing for this stock as from 5 July 1994; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of Greenland halibut in the waters of ICES divisions V and XIV (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1994.

Fishing for Greenland halibut in the waters of ICES divisions V and XIV (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

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

Done at Brussels, 19 July 1994.

For the Commission
 Yannis PALEOKRASSAS
Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 341, 31. 12. 1993, p. 106.

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2442/94

of 7 October 1994

repealing Regulation (EC) No 1784/94 concerning the stopping of fishing for Greenland halibut by vessels flying the flag of the United Kingdom

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21 (3) thereof,

Whereas Commission Regulation (EC) No 1784/94⁽²⁾ stopped fishing for Greenland halibut in the waters of ICES divisions V, XIV (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom;

Whereas, on 14 September 1994, Germany transferred to the United Kingdom 200 tonnes of Greenland halibut in the waters of ICES divisions V, XIV (Greenland waters); whereas fishing for Greenland halibut in the waters of ICES divisions V, XIV (Greenland waters) by vessels flying

the flag of the United Kingdom or registered in the United Kingdom should therefore be permitted; whereas consequently it is necessary to repeal Regulation (EC) No 1784/94,

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EC) No 1784/94 is hereby repealed.

Article 2

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

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

Done at Brussels, 7 October 1994.

For the Commission
Yannis PALEOKRASSAS
Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 186, 21. 7. 1994, p. 19.

COMMISSION REGULATION (EC) No 2954/94
of 5 December 1994

setting detailed rules for application of Council Regulation (EC) No 1503/94 establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guyana as a result of their very remote location

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1503/94 of 27 June 1994 establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guyana⁽¹⁾, and in particular Article 3 thereof,

Whereas it is necessary to set detailed rules for implementing the system established by Regulation (EC) No 1503/94 so that action can be taken to grant Community aid for the purposes specified in that Regulation;

Whereas these rules concern primarily financial estimation for the system, identification of the recipients of aid and the procedures to be followed in regard to payments and monitoring of implementation of the system;

Whereas the detailed rules set out in this Regulation must be brought expeditiously into play given that Regulation (EC) No 1503/94 applies to 1994 only;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensation system established by Regulation (EC) No 1503/94 shall be implemented for 1994 in accordance with the provisions of this Regulation.

Article 2

1. For the Azores and Madeira the maximum aid granted shall be ECU 2 325 000 in payments of ECU 155 per tonne delivered for local industrial processing up to a maximum of 10 000 tonnes for the Azores and 5 000 tonnes for Madeira.

Should this overall annual quota of 15 000 tonnes not be exhausted by the catches of vessels registered at the ports of the Azores and/or Madeira the operators concerned may resort to use of tuna originating in other Member States. No Community assistance shall be paid on tuna imported from third countries.

2. For the Canary Islands the maximum aid granted shall be:

- (a) ECU 1 300 000 in payments of ECU 125 per tonne on tuna marketed fresh (including tuna sold for local industrial processing) up to a maximum of 10 400 tonnes;
- (b) ECU 157 500 in payments of ECU 45 per tonne on frozen tuna up to a maximum of 3 500 tonnes;
- (c) ECU 892 500 in payments of ECU 85 per tonne on sardines and mackerel delivered for local industrial processing up to a maximum of 10 500 tonnes;
- (d) ECU 315 000 in payments of ECU 45 per tonne on sardines and mackerel sold for freezing up to a maximum of 7 000 tonnes.

3. For the French department of Guyana the maximum aid granted shall be ECU 3 492 500 tonnes in payments of ECU 865 per tonne on a maximum of 3 500 tonnes of prawns caught by industrial fishing and of ECU 930 per tonne on a maximum quantity of 500 tonnes caught by non-industrial fishing.

Article 3

1. Recipients of aid under this Regulation shall be producers, their associations and processors in the regions indicated in Article 2 who are owners of vessels registered at the ports of and exercise their activities in these regions.

2. The competent national authorities shall require applications for compensation to be accompanied by documentation in evidence of the operations indicated in Article 2.

3. Member States shall send the Commission the national provisions for implementing this Regulation as regards allocation of aid among recipients. These provisions must ensure that aid is allocated in a balanced way.

4. Should applications to national authorities exceed the quantities specified in Article 2 they shall be met pro rata, account being taken of the quantities caught by applicants in the previous year.

5. Member States shall ensure by means of appropriate provisions that the requirements for application of the compensation system as detailed in Article 2, particularly as regards regularity of operations in connection with applications for Community assistance, pursuit of irregularities and recovery following detection of irregularity of the amounts paid out are met.

⁽¹⁾ OJ No L 162, 30. 6. 1994, p. 8.

Article 4

1. Payments shall be made during the 1994 financial year. Their amount shall be determined on the basis of applications submitted by the national body responsible for monitoring operation of the system.
2. Payment applications must be accompanied by supporting documentation in evidence of application of the system.

Article 5

1. National authorities shall make available to the Commission all information required for the purposes of application of this Regulation and shall make every

endeavour to facilitate such checks as the Commission may consider it useful to undertake, including verification on the spot.

2. Without prejudice to checks carried out by the Member States' authorities in line with national legislative, regulatory or administrative provisions, persons charged by the Commission with verification on the spot shall have access to all documents relating to expenditure financed by the Community under this Regulation.

Article 6

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

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

Done at Brussels, 5 December 1994.

For the Commission
Yannis PALBOKRASSAS
Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 2954/94 of 5 December 1994 setting detailed rules for application of Council Regulation (EC) No 1503/94 establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guyana as a result of their very remote location

(Official Journal of the European Communities No L 312 of 6 December 1994)

On page 3, in the third and fifth lines of Article 2 (3):

for: '... per tonne on a maximum ...';

read: '... per tonne marketed on a maximum ...';

on page 4, the first sentence of Article 4 (1) should read as follows:

'Payments shall be charged to the 1994 financial year'.

COMMISSION REGULATION (EC) No 3226/94

of 22 December 1994

concerning the stopping of fishing for Greenland halibut by vessels flying the flag of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3693/93 of 21 December 1993 allocating, for 1994, Community catch quotas in Greenland waters⁽²⁾, provides for Greenland halibut quotas for 1994;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of Greenland halibut in the waters of ICES divisions V, XIV (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quota allocated for 1994; whereas the United Kingdom has

prohibited fishing for this stock as from 14 December 1994; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of Greenland halibut in the waters of ICES divisions V, XIV (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1994.

Fishing for Greenland halibut in the waters of ICES divisions V, XIV (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 14 December 1994.

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

Done at Brussels, 22 December 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 341, 31. 12. 1993, p. 106.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 3189/94

of 19 December 1994

laying down for 1995 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 Guiana

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⁽¹⁾, 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 Guiana most recently laid down by Council Regulation (EC) No 3681/93⁽²⁾; whereas the latter Regulation expires on 31 December 1994;

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 Guiana 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 Guiana 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⁽³⁾,

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 1995 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 Guiana that lies more than 12 nautical miles from the base lines, in accordance with the conditions laid down in this Regulation.

⁽¹⁾ OJ No L 389, 31. 12. 1992, P. 1.

⁽²⁾ OJ No L 341, 31. 12. 1993, p. 83.

⁽³⁾ OJ No L 261, 20. 10. 1993, p. 1.

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 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 Guiana.

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 Guiana.

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 Guiana 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 Guianese 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 Guiana 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.

Article 16

The period of validity of licences valid on 31 December 1992 pursuant to Article 1 of Regulation (EC) No 3681/93 may be extended, at the request of the authorities of the country concerned, until 31 January 1995. 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 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.

Article 17

This Regulation shall enter into force on 1 January 1995.

It shall apply until 31 December 1995.

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

Done at Brussels, 19 December 1994.

For the Council

The President

J. BORCHERT

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	p.m.
	Korea	p.m.
(b) Snappers	Venezuela	41
	Barbados	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 (*Xybobopenaeus kroyerii*);
TUN: Tunny;
SHK: 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)

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.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 3354/94

of 19 December 1994

on the conclusion of the Third Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof, in conjunction with the first subparagraph of Article 228 (3),

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, pursuant to Article 14 of the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other ⁽³⁾, the Parties have negotiated a Third Protocol laying down the conditions relating to fishing provided for in the said Agreement, intended to come into force at the end of the period of application of the Second Protocol;

Whereas, with a view to increasing cooperation and development of the fisheries sector in this framework, the Parties have agreed to include joint ventures and other types of associations for the development of new fisheries in Greenland waters;

Whereas, as a result of negotiations, this new Protocol was initialled on 1 July 1994;

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

Done at Brussels, 19 December 1994.

Whereas it is in the Community's interest to approve the said protocol,

HAS ADOPTED THIS REGULATION:

Article 1

The Third Protocol, laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other, is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community.

Article 3

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

For the Council

The President

J. BORCHERT

⁽¹⁾ OJ No C 287, 15. 10. 1994, p. 11.

⁽²⁾ OJ No C 341, 5. 12. 1994.

⁽³⁾ OJ No L 29, 1. 2. 1985, p. 9.

THIRD PROTOCOL

laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other

THE EUROPEAN COMMUNITY,

on the one hand, and

THE GOVERNMENT OF DENMARK AND THE LOCAL GOVERNMENT OF GREENLAND,

on the other,

HAVING REGARD to the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other,

HAVE AGREED AS FOLLOWS:

Article 1

1. This Protocol shall apply to fishing activities from 1 January 1995 to 31 December 2000.
2. The quotas referred to in Article 2 of the Agreement shall be fixed at the following quantities for each year:

(in tonnes)

Species	Western stock (NAFO 0/1)	Eastern stock (ICES XIV/V)
Cod	31 000 (*)	—
Redfish	5 500	46 820 (*)
Greenland halibut	1 350	4 650
Shrimp	—	4 525
Halibut	200 (*)	200 (*)
Catfish	1 000	1 000
Blue whiting	—	30 000
Capelin	—	(*)
Roundnose grenadier	1 350	4 650
Roundnose grenadier	2 000 (*) (*)	—
Polar cod	2 000 (*) (*)	—

(*) Of which a maximum of 20 000 tonnes may be fished by pelagic trawl. Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately.

(*) 70 % of the Greenland share of the capelin TAC minus 10 000 tonnes to the Faroe Islands.

(*) May be fished West or East.

(*) Experimental fishery in 1995 and 1996, to be conducted at depths greater than 1 500 metres. The maximum by-catch of Greenland halibut will be 40 % and will be counted against this quota. An evaluation of the conduct of this fishery will be made after two years to determine the extent to which this can be conducted as a clean fishery.

(*) To be fished only by pelagic trawl or longline. A by-catch of up to 10 % excluding shrimp and Greenland halibut will be admitted in this fishery. This by-catch will be counted against the quota.

(*) If by-catches by Community vessels of Atlantic halibut in trawl cod and redfish fisheries would imply overruns of Community quotas of Atlantic halibut, the Greenland authorities will provide solutions to the effect that Community cod and redfish fisheries nevertheless can continue until the cod and redfish quotas have been exhausted.

3. The quota for shrimp in East Greenland may be fished in areas West of Greenland provided that arrangements for quota transfers between shipowners from Greenland and the Community have been established on a company-to-company basis. The Greenland local Government shall undertake to facilitate such arrangements. The transfers of quotas can only take place within a maximum of 1 000 tonnes annually in areas off West Greenland. The fishery carried out by the Community vessels shall take place on the same conditions as laid down in the licence issued to the Greenland shipowner.

4. During the period covering the present Protocol the Greenland local Government agrees to offer to the European Community, in addition to the quotas specified in Article 1 (2), additional catch possibilities for cod, without additional financial compensation, amounting to 20 % of the unused Community quotas in the previous period covered by this Protocol on the following terms and conditions:

- the additional catch possibilities for cod are calculated on the basis of the difference between the Community quota and the actual catch for years where the actual catch is less than 75 % of the yearly quota specified in Article 1 (2) of this Protocol,
- the additional catch possibilities shall be, for each year, as a maximum the equivalent of a third of the difference between the total allowable catch in Greenland waters and the combined quotas laid down in Article 1 (2) and Article 2 of this Protocol, the rest being available for disposal in accordance with the Agreement,
- the additional catch possibilities for cod, as calculated above, will correspondingly reduce the amount of cod Greenland is obliged to offer to the Community in accordance with Article 8 (2) of the Agreement.

5. In addition to the quantities fixed in paragraph 2, Greenland shall each year contribute the following quantities of the following species towards establishing the balance of the reciprocal fishing possibilities laid down between the Community and the Faroe Islands in accordance with their fisheries agreement:

(in tonnes)

Species	Western stock (NAPO 0/1)	Eastern stock (ICES XIV/V)
Shrimp	—	1 150
Greenland halibut	150	150
Redfish	—	500 (*)
Capelin	—	10 000

(*) Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately.

Article 2

The quantities referred to in the first paragraph of Article 7 of the Agreement are hereby set at the following levels each year:

(in tonnes)

Species	Western stock (NAPO 0/1)	Eastern stock (ICES XIV/V)
Cod	52 250 (*)	—
Redfish	2 500	5 000
Greenland halibut	4 700	—
Shrimp	25 000	1 500
Catfish	4 000	—

(*) May be fished West or East.

Article 3

For the purpose of Article 8a of the Agreement the following definitions shall apply:

'Temporary joint venture' means any association based on a contractual agreement of limited duration between Community shipowners and physical or legal persons in Greenland, with the aim of jointly fishing for and exploiting Greenland fishing quotas by vessels flying the flag of a Member State of the European Community and sharing the cost profits or losses of the economic activity jointly undertaken, with a view to the priority supply of the Community market.

'Joint enterprises' means any company regulated by Greenland law comprising one or more Community shipowners and one or more partners in Greenland, with the aim of fishing for and possibly exploiting Greenland fishing quotas in the waters under the sovereignty and/or jurisdiction of Greenland by vessels flying the flag of Greenland with a view to the priority supply of the Community market.

Article 4

The Parties shall select the projects for the temporary joint ventures and joint enterprises provided for in Article 3. The projects shall be selected in accordance with the methods and criteria set out in Annex I.

Article 5

In order to encourage the establishment of temporary joint ventures referred to in Article 3, the projects selected by the Parties shall be eligible for financial assistance in accordance with the conditions laid down in Annex II.

Article 6

In order to encourage the establishment of joint enterprises referred to in Article 3, the projects selected by the Parties shall be eligible for financial assistance in accordance with the conditions laid down in Annex III.

Article 7

A Joint Committee shall be set up to oversee the application of Articles 4, 5 and 6 of this Protocol. The duty of this Committee shall be, in particular, to:

- evaluate the projects presented by the Parties for the establishment of temporary joint ventures and joint enterprises provided for in Article 3, in accordance with the criteria set out in Annex IV,
- check that the projects are being properly administered and oversee the use of the financial support given to projects in accordance with Articles 5 and 6,
- review the activities of Community vessels belonging to temporary joint ventures and joint enterprises in Greenland waters before the end of their contract.

The Joint Committee shall meet once a year alternately in Greenland and Brussels and exceptionally at the request of either Party.

Article 8

The conditions governing the creation and access to resources of temporary joint ventures and joint enterprises are laid down in Annex IV.

Article 9

1. The financial compensation referred to in Article 6 of the Agreement shall, during the period of validity of this Protocol, be fixed at ECU 37 700 000 payable annually at the beginning of each fishing year.
2. The compensation shall be adjusted during the course of each fishing year in proportion, calculated on the basis of coc equivalents, to the supplementary quota allocated to the Community under Article 8 of the Agreement.
3. The procedure to be followed as regards the allocation of supplementary catch possibilities under Article 8 of the Agreement is set out in Annex V.

Article 10

For the purpose of financial assistance to the establishment of temporary joint ventures and joint enterprises referred to in Articles 5 and 6, the Commission of the European Communities shall contribute ECU 6 000 000 for the duration of this Protocol.

Article 11

Failure to implement the commitments laid down in this Protocol may, without prejudice to the provisions of Articles 7 and 10 of the Agreement, entail a corresponding reduction in the commitments referred to in Articles 1 and 9 of this Protocol.

Article 12

This Protocol shall enter into force on the date of its signature. It shall apply from 1 January 1995. The Parties shall notify each other on the completion of the procedures necessary for this purpose.

Article 13

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each text being equally authentic.

ANNEX I

Methods and criteria for project selection

1. The Parties shall exchange information on the projects presented for the formation of temporary joint ventures and joint enterprises according to Article 4 of this Protocol which are liable to receive financial aid from the Community.
2. The projects shall be presented to the Community via the competent authorities of the Member State or Member States concerned.
3. The Community shall submit to the Joint Committee the list of projects eligible for financial assistance as provided for in Articles 5 and 6 of this Protocol. The Joint Committee shall evaluate the projects in accordance basically with the following criteria:
 - (a) technology appropriate to the proposed fishing operations;
 - (b) target species and fishing zones;
 - (c) age of the vessel;
 - (d) in case of temporary joint ventures, its total duration and that of the fishing operations;
 - (e) previous experience of the Community shipowner and any Greenland partner in the fisheries sector.
4. The Joint Committee shall recommend to the Parties the projects selected in accordance with the criteria set out in point 3.
5. Once the projects have been approved by the Greenland authority and the Community, the Community shall forward to the Greenland authority the list of selected projects for the purpose of issuing the necessary authorizations and fishing licences.

ANNEX II

Scales of assistance to temporary joint ventures

Category of vessel, by gross registered tonnage (GRT)	Maximum amount (ECU/day)
0 < 25	4,52/GRT + 20
25 < 50	4,30/GRT + 25
50 < 70	3,50/GRT + 65
70 < 100	3,12/GRT + 88
100 < 200	2,74/GRT + 120
200 < 300	2,36/GRT + 177
300 < 500	2,05/GRT + 254
500 < 1 000	1,76/GRT + 372
1 000 < 1 500	1,50/GRT + 565
1 500 < 2 000	1,34/GRT + 764
2 000 < 2 500	1,23/GRT + 956
2 500 or more	1,15/GRT + 1 137

Member States of the European Community shall contribute 25 % of the abovementioned sums to projects involving vessels flying the flag of the Member State concerned.

ANNEX III

Scales of assistance to joint enterprises

Class of vessel by gross registered tonnage (GRT)	Maximum amount of premium for a 15-year-old vessel (in BCU)
0 < 25	6 215/GRT
25 < 50	5 085/GRT + 28 250
50 < 100	4 520/GRT + 56 500
100 < 400	2 260/GRT + 282 500
400 and over	1 130/GRT + 734 500

The premiums for setting up joint enterprises paid to beneficiaries may not exceed the following amounts :

- 15-year-old vessels : see table above,
- vessels less than 15 years old : scale from table above increased by 1,5 % per year less than 15,
- vessels more than 15 years old : scale from table above decreased by 1,5 % per year over 15.

Member States of the European Community shall contribute 25 % of the abovementioned sums to projects involving vessels reflagging from the Member State concerned to Greenland.

*ANNEX IV***Conditions governing the creation and access to resources of temporary joint ventures and joint enterprises in Greenland****A. Selected projects**

Once the project selection procedure laid down in Annex I to this Protocol has been completed, the Community shall provide the Greenland authority with a list of Community vessels selected for inclusion in a temporary joint venture or joint enterprises with a view to the exercise of fishing activities.

B. Licences

The Greenland authority shall promptly issue a fishing licence. The fishing licences shall be issued for a period of validity equal to the duration of the temporary joint ventures. Fishing shall take place on quotas allocated by the Greenland authority.

C. Replacement of vessels

A Community vessel operating under a temporary joint venture may be replaced by another Community vessel with equivalent capacity and technical specifications only on duly justified grounds and with the agreement of the Parties.

D. Fitting-out

Vessels operating under temporary joint ventures shall comply with the rules and regulations applicable in Greenland regarding fitting-out, which regulation shall be applied without discrimination between Greenland and Community vessels.

E. Catch declaration

1. All Community vessels shall forward to the Greenland authority a catch declaration in accordance with Greenland fishery regulations.
2. A copy of the catch declaration shall be forwarded to the Commission of the European Communities.
3. In the event of these provisions not being complied with, the Greenland authority may suspend the fishing licence of the vessel involved until the said formalities have been complied with.

F. Duration of the joint ventures

Temporary joint ventures shall be valid for an initial period of no more than three years. Under no circumstances may this duration be extended beyond the expiry date of this Protocol. Six months before the end of the period of validity of the joint venture, the Joint Committee shall consider whether to extend its validity for the additional period requested.

G. Scientific observers

At the request of the Greenland authority, Community vessels fishing pursuant to this Protocol shall permit a scientific observer designated by the said authority to come on board to perform his tasks. The observer shall be provided with all the facilities necessary for the exercise of his functions.

The conditions of his stay on board shall be the same as those of the other officers of the vessel. Observers' remunerations and social security contributions shall be paid by the Greenland authorities. The costs of his stay on board shall be borne by the owner of the vessel.

ANNEX V

1. The authorities responsible for Greenland undertake to offer to the Community by 15 November each year such supplementary catch possibilities referred to in Article 8 of the Agreement as at the time are expected to be available the following fishing year.

The Community shall inform the authorities responsible for Greenland of its reaction to the offer no later than six weeks after receipt of the offer. If the Community either declines the offer or does not react within six weeks, the authorities responsible for Greenland will be free to offer the supplementary catch possibilities to other parties.

2. If at any time during the fishing year additional supplementary catch possibilities under Article 8 of the Agreement are identified, which exceed the catch possibilities contained in the offer referred to in paragraph 1, the authorities responsible for Greenland shall offer the Community such additional possibilities.

The Community shall inform the authorities responsible for Greenland of its reaction to the offer no later than six weeks after receipt of the offer. If the Community either declines the offer or does not react within six weeks, the authorities responsible for Greenland will be free to offer the supplementary catch possibilities to other parties.

COUNCIL DECISION

of 19 December 1994

on the conclusion of an Agreement, in the form of an exchange of letters concerning the amendment to the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other

(94/829/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof, in conjunction with the first subparagraph of Article 228 (3),

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other, signed on 13 March 1984 ⁽³⁾, expires on 31 January 1995;

Whereas according to Article 15, in the absence of termination of the Agreement by either Party, the Agreement will be extended for another period of six years;

Whereas negotiations have taken place with a view to amending the Agreement to include provisions on the promotion of the establishment of joint ventures and joint enterprises in the fisheries sector between vessel owners in the Community and enterprises in Greenland;

Whereas it is in the interest of the European Community to approve the Agreement in the form of an exchange of letters amending the Agreement on fisheries,

Article 1

The Agreement in the form of an exchange of letters concerning the amendment to the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other, is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 19 December 1994.

For the Council

The President

J. BORCHERT

⁽¹⁾ OJ No C 282, 8. 10. 1994, p. 6.

⁽²⁾ OJ No C 341, 5. 12. 1994.

⁽³⁾ OJ No L 29, 1. 2. 1985, p. 9.

AGREEMENT

in the form of an exchange of letters concerning the amendment to the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other

A. Letter from the Government of Denmark and the local Government of Greenland

Brussels,

Sir,

With reference to the agreed record of conclusions on fisheries negotiations between the European Community, on the one hand, and the Government of Denmark and the local Government of Greenland, in the other, Copenhagen 29 June to 1 July 1994 and in particular to the amendment to the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other, to include joint ventures and joint enterprises, I have the honour to inform you that the Government of Denmark and the local Government of Greenland are prepared to amend the said Agreement by adding the following Article :

'Article 8 a

The Contracting Parties shall promote the establishment of temporary joint ventures and joint enterprises in the fisheries sector between vessel owners in the Community and enterprises in Greenland.

Greenland shall grant the necessary authorization for such temporary joint ventures and joint enterprises established for the purpose of harvesting sea fisheries resources for operating in its fishing zone.'

I should be obliged if you could confirm that the European Community is in agreement with this amendment.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of Denmark and
the local Government of Greenland*

B. Letter from the European Community

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

'Sir,

With reference to the agreed record of conclusions on fisheries negotiations between the European Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other, Copenhagen 29 June to 1 July 1994 and in particular to the amendment to the Agreement on Fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other, to include joint ventures and joint enterprises, I have the honour to inform you that the Government of Denmark and the local Government of Greenland are prepared to amend the said Agreement by adding the following Article :

"Article 8 a

The Contracting Parties shall promote the establishment of temporary joint ventures and joint enterprises in the fisheries sector between vessel owners in the Community and enterprises in Greenland.

Greenland shall grant the necessary authorization for such temporary joint ventures and joint enterprises established for the purpose of harvesting sea fisheries resources for operating in its fishing zone."

I should be obliged if you could confirm that the European Community is in agreement with this amendment.

I have the honour to confirm the agreement of the European Community to the amendment to the Agreement on fisheries.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Union*

COUNCIL REGULATION (EC) No 3363/94
of 20 December 1994
allocating, for 1995, Community catch quotas in Greenland waters

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 ⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other ⁽²⁾, has been extended for an additional period of six years, until 31 December 2000;

Whereas the European Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other hand, have subsequently approved the Third Fisheries Protocol, establishing the conditions for fishing and, in particular, the catch quotas for Community vessels in Greenland waters for the period from 1 January 1995 to 31 December 2000;

Whereas these catch quotas may be used by vessels not flying the flag of a Member State of the Community, to the extent that this is necessary for the proper functioning of the fisheries agreements which the Community has concluded with third countries;

Whereas the Community shall inform the authorities responsible for Greenland of its reaction to offers regarding supplementary catch possibilities, as referred to in Article 8 of the Agreement, not later than six weeks after receipt of the offer;

Whereas, to ensure efficient management of the catch possibilities available, they should be allocated among Member States by means of quotas in accordance with Article 8 of Regulation (EEC) No 3760/92;

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

HAS ADOPTED THIS REGULATION:

Article 1

For 1995, the allocation of the Community catch quotas in Greenland waters shall be as set out in the Annex.

Article 2

Should the authorities responsible for Greenland make an offer regarding supplementary catch possibilities, as referred to in Article 8 of the Agreement on fisheries, the Council shall, acting by a qualified majority on a proposal from the Commission, take a decision on that offer within six weeks of receipt thereof.

Article 3

This Regulation shall enter into force on 1 January 1995.

However, for new Member States, the Regulation shall enter into force on the date of accession.

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

Done at Brussels, 20 December 1994.

For the Council
The President
 J. BORCHERT

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 29, 1. 2. 1985, p. 9.

⁽³⁾ OJ No L 261, 20. 10. 1993, p. 1.

ANNEX

Allocation of Community catch quotas in Greenland waters for 1995

(in tonnes)

Species	Geographical area	Community catch quotas	Quotas allocated to Member States	Quantities allocated to Norway (*) (†)	Quantities allocated to Iceland (‡)	Faroeese quotas under ECG/Greenland protocol (¶)
Cod	all zones	31 080	Germany 25 360 United Kingdom 5 640			
Redfish (¹)	NAFO 1	5 500	Germany 5 395 United Kingdom 105			500
	ICES XIV/V	46 820	Germany 46 270 France 330 United Kingdom 220			
Greenland halibut	NAFO 1	1 350	Germany 550	270 (¶)		150
	ICES XIV/V	4 650	Germany 4 040 United Kingdom 210	135 (¶)		150
Deep-water prawns	ICES XIV/V (¹)	4 525	France 1 012 Denmark 1 012	835		1 150
Atlantic halibut (²)	NAFO 1	200		70 (¶)		
	ICES XIV/V	200		70 (¶)		
Catfish	NAFO 1	1 000	Germany 1 000			
	ICES XIV/V	1 000	Germany 1 000			
Blue whiting	ICES XIV/V	30 000	Denmark 3 000 France 3 000 Germany 24 000			
Capelin	ICES XIV/V	63 150 (*)		6 700	30 000	10 000
Roundnose Grenadier	NAFO 1	1 350	Germany 550	270		
	ICES XIV/V	4 650	Germany 4 400 United Kingdom 250			
Roundnose Grenadier (³)	all zones	2 000				
Polar cod (¶)	all zones	2 000				

(¹) A maximum of 20 000 tonnes may be fished by pelagic trawl. Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately.

(²) If by-catches of Atlantic halibut in trawl cod and redfish fisheries imply over-runs of this quota, the Greenland authorities will provide solutions to the effect that Community cod and redfish fisheries can nevertheless continue until the respective quotas have been exhausted.

(³) Experimental fishery, to be conducted at depths greater than 1 500 metres. The maximum by-catch of Greenland halibut will be 40 % and will be counted against this quota.

(¶) To be fished only by pelagic trawl or longline. A by-catch of up to 10 %, excluding deep-water prawns and Greenland halibut, will be admitted. The by-catch will be counted against this quota.

(†) Up to 1 000 tonnes can be caught in NAFO areas 0/1 under agreement with Greenland licence holders.

(‡) 70 % of the Greenland share of the TAC for capelin minus 10 000 tonnes to the Faroe Islands. Calculated on the basis of a provisional TAC of 950 000 tonnes. Upon revision of this TAC in the course of 1995, the Community quota shall be revised accordingly.

(*) These quotas are allocated for the period 1 January to 31 March 1995.

(¹) To be fished only with longline.

(¶) Shown for information only.

Part 2: FODs

F. Structural Funds

COMMISSION DECISION

of 29 July 1994

on the adoption of the single programming document for Community structural assistance in the region of Guadeloupe concerned by Objective 1 in France

(Only the French text is authentic)

(94/631/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as amended by Regulation (EEC) No 2082/93⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions, the Committee referred to in Article 124 of the Treaty, the Management Committee on Agricultural Structures and Rural Development and the Standing Management Committee on Fisheries Structures,

Whereas the programming procedure for structural assistance under Objective 1 is defined in Article 8 (4) to (7) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as amended by Regulation (EEC) No 2081/93⁽³⁾; whereas, however, the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional development plan referred to in Article 8 (4) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopts a single decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the French Government submitted to the Commission on 21 December 1993 the single programming document referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Guadeloupe; whereas this document contains the elements referred to in Article 8 (4) and (7) and in Article 10 of Regulation (EEC) No 2052/88;

Whereas the single programming document submitted by the Member State includes a description of the priorities selected and the applications for assistance from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, the Financial Instrument for Fisheries Guidance (FIFG), as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments, including the European Coal and Steel Community (ECSC) and the other actions for structural purposes;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document on the basis of the forecast loan packages shown in this Decision and in conformity with its statutory provisions;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds⁽⁴⁾, as amended by Regulation (EC) No 402/94⁽⁵⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to

(¹) OJ No L 374, 31. 12. 1988, p. 1.

(²) OJ No L 193, 31. 7. 1993, p. 20.

(³) OJ No L 185, 15. 7. 1988, p. 9.

(⁴) OJ No L 193, 31. 7. 1993, p. 5.

(⁵) OJ No L 170, 3. 7. 1990, p. 36.

(⁶) OJ No L 54, 25. 2. 1994, p. 9.

indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽¹⁾, as amended by Regulation (EEC) No 2083/93 ⁽²⁾, defines the measures for which the ERDF may provide financial support, referring specifically to the measures eligible pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽³⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁴⁾, defines the measures for which the ESF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4256/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the EAGGF Guidance Section ⁽⁵⁾, as amended by Regulation (EEC) No 2085/93 ⁽⁶⁾, defines the measures for which the EAGGF Guidance Section may provide financial support for the implementation of measures pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the Financial Instrument of Fisheries Guidance ⁽⁷⁾, defines the measures for which the FIFG may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund and the FIFG;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁸⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 610/90 ⁽⁹⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas all the other conditions laid down for the grant of aid from the ERDF, the ESF, the EAGGF, Guidance Section, and the FIFG, have been complied with;

Whereas it has been agreed in the partnership to reserve an amount of the appropriations allocated to technical assistance for actions to be undertaken at the initiative of the Commission; whereas, therefore, this amount should be deducted from the total amount of assistance allocated under this single programming document,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Guadeloupe concerned by Objective 1 in France, covering the period 1 January 1994 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential information:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in Guadeloupe;

the main priorities are:

1. Seeking social balance — Development of human resources;
2. Seeking economic balance;
3. Seeking spatial balance;
4. Seeking ecological balance;
5. Technical assistance;

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 15.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 34.

⁽³⁾ OJ No L 374, 31. 12. 1988, p. 21.

⁽⁴⁾ OJ No L 193, 31. 7. 1993, p. 39.

⁽⁵⁾ OJ No L 374, 31. 12. 1988, p. 25.

⁽⁶⁾ OJ No L 193, 31. 7. 1993, p. 44.

⁽⁷⁾ OJ No L 193, 31. 7. 1993, p. 1.

⁽⁸⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ No L 70, 16. 3. 1990, p. 1.

- (b) the assistance from the Structural Funds and the FIGF as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the financial implementation provisions,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document.

Article 3

For the purpose of indexation, the annual breakdown of the global maximal allocation foreseen for the assistance from the Structural Funds and the FIGF is as follows:

<i>ECU million (1994 prices)</i>	
1994	47,42
1995	51,20
1996	54,82
1997	58,76
1998	63,80
1999	69,00
Total	345,00

Article 4

The assistance from the Structural Funds and the FIGF granted to the single programming document amounts to a maximum of ECU 344,84 million, after deduction of an amount of ECU 160 000 reserved for technical assistance on the initiative of the Commission.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures which the single programming document comprises, is set out in the financing plan annexed to this Decision (¹).

The national financial contribution as indicated in the financing plan may be met in part by Community loans from the European Investment Bank and other types of loans. In indicative terms, EIB loans could reach ECU 150 million for all Objective 1 regions in France.

(¹) Annex not published in the Official Journal.

Article 5

1. The breakdown among the Structural Funds and the FIGF of the total Community assistance available is as follows:

— ERDF	ECU 159,84 million
— ESF	ECU 104,30 million
— EAGGF, Guidance Section	ECU 74,50 million
— FIGF	ECU 6,20 million.

2. The budgetary commitment for the first instalment is as follows:

— ERDF	ECU 23,567 million
— ESF	ECU 11,931 million
— EAGGF, Guidance Section	ECU 10,282 million
— FIGF	ECU 0,800 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the FIGF and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of reprogramming decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures 204, 'aids for capital equipment in firms' and 208, 'improvement of financial engineering of firms'. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December

1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 7, 30, 48, 52 and 59 of the EC Treaty and the Community directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 29 July 1994.

**For the Commission
Bruce MILLAN**

Member of the Commission

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COMMISSION DECISION

of 29 July 1994

on the adoption of the single programming document for Community structural assistance in the region of Guyana concerned by Objective 1 in France

(Only the French text is authentic)

(94/632/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as amended by Regulation (EEC) No 2082/93⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions, the Committee referred to in Article 124 of the Treaty, the Management Committee on Agricultural Structures and Rural Development and the Standing Management Committee on Fisheries Structures,

Whereas the programming procedure for structural assistance under Objective 1 is defined in Article 8 (4) to (7) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as amended by Regulation (EEC) No 2081/93⁽⁴⁾; whereas, however, the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional development plan referred to in Article 8 (4) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopts a single decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the French Government submitted to the Commission on 21 December 1993 the single programming document referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Guyana; whereas this document contains the elements referred to in Article 8 (4) and (7) and in Article 10 of Regulation (EEC) No 2052/88;

Whereas the single programming document submitted by the Member State includes a description of the priorities selected and the applications for assistance from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, the Financial Instrument for Fisheries Guidance (FIFG), as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments, including the European Coal and Steel Community (ECSC) and the other actions for structural purposes;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document on the basis of the forecast loan packages shown in this Decision and in conformity with its statutory provisions;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds⁽⁵⁾, as amended by Regulation (EC) No 402/94⁽⁶⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 20.

⁽³⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ No L 193, 31. 7. 1993, p. 5.

⁽⁵⁾ OJ No L 170, 3. 7. 1990, p. 36.

⁽⁶⁾ OJ No L 54, 25. 2. 1994, p. 9.

indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund⁽¹⁾, as amended by Regulation (EEC) No 2083/93⁽²⁾, defines the measures for which the ERDF may provide financial support, referring specifically to the measures eligible pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund⁽³⁾, as amended by Regulation (EEC) No 2084/93⁽⁴⁾, defines the measures for which the ESF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4256/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the EAGGF Guidance Section⁽⁵⁾, as amended by Regulation (EEC) No 2085/93⁽⁶⁾, defines the measures for which the EAGGF Guidance Section may provide financial support for the implementation of measures pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the Financial Instrument of Fisheries Guidance⁽⁷⁾, defines the measures for which the FIFG may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund and the FIFG;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽⁸⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 610/90⁽⁹⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas all the other conditions laid down for the grant of aid from the ERDF, the ESF, the EAGGF, Guidance Section, and the FIFG, have been complied with;

Whereas it has been agreed in the partnership to reserve an amount of the appropriations allocated to technical assistance for actions to be undertaken at the initiative of the Commission; whereas, therefore, this amount should be deducted from the total amount of assistance allocated under this single programming document,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Guyana concerned by Objective 1 in France, covering the period 1 January 1994 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential information:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in Guyana;

the main priorities are:

1. Opening-up of the region;
2. Industry, craftwork and services;
3. Tourism;
4. Agricultural resources and rural development;
5. Fisheries;
6. Supporting infrastructure;
7. Development of human resources;

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 15.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 34.

⁽³⁾ OJ No L 374, 31. 12. 1988, p. 21.

⁽⁴⁾ OJ No L 193, 31. 7. 1993, p. 39.

⁽⁵⁾ OJ No L 374, 31. 12. 1988, p. 25.

⁽⁶⁾ OJ No L 193, 31. 7. 1993, p. 44.

⁽⁷⁾ OJ No L 193, 31. 7. 1993, p. 1.

⁽⁸⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ No L 70, 16. 3. 1990, p. 1.

- (b) the assistance from the Structural Funds and the FIFG as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
 - the procedures for monitoring and evaluation,
 - the financial implementation provisions,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document.

Article 3

For the purpose of indexation, the annual breakdown of the global maximal allocation foreseen for the assistance from the Structural Funds and the FIFG is as follows:

<i>ECU million (1994 prices)</i>	
1994	22,68
1995	24,49
1996	26,21
1997	28,11
1998	30,51
1999	33,00
Total	165,00

Article 4

The assistance from the Structural Funds and the FIFG granted to the single programming document amounts to a maximum of ECU 164,908 million, after deduction of an amount of ECU 92 000 reserved for technical assistance on the initiative of the Commission.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures which the single programming document comprises, is set out in the financing plan annexed to this Decision (1).

The national financial contribution as indicated in the financing plan may be met in part by Community loans from the European Investment Bank and other types of loans. In indicative terms, EIB loans could reach ECU 150 million for all Objective 1 regions in France.

(1) Annex not published in the Official Journal.

Article 5

1. The breakdown among the Structural Funds and the FIFG of the total Community assistance available is as follows:

— ERDF	ECU 92,208 million
— ESF	ECU 35,800 million
— EAGGF, Guidance Section	ECU 27,400 million
— FIFG	ECU 9,500 million.

2. The budgetary commitment for the first instalment is as follows:

— ERDF	ECU 8,756 million
— ESF	ECU 4,920 million
— EAGGF, Guidance Section	ECU 3,760 million
— FIFG	ECU 1,310 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the FIFG and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of reprogramming decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures 2.1 (Aids to industry), 2.2 (Aids to craftwork), 2.3 (Aids to services to firms), 2.5 (Industrial and craftwork zones), 2.6 (Financial engineering). In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December

COMMISSION DECISION

of 29 July 1994

on the adoption of the single programming document for Community structural assistance in the region of Martinique concerned by Objective 1 in France

(Only the French text is authentic)

(94/633/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as amended by Regulation (EEC) No 2082/93⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions, the Committee referred to in Article 124 of the Treaty, the Management Committee on Agricultural Structures and Rural Development and the Standing Management Committee on Fisheries Structures,

Whereas the programming procedure for structural assistance under Objective 1 is defined in Article 8 (4) to (7) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as amended by Regulation (EEC) No 2081/93⁽⁴⁾; whereas, however, the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional development plan referred to in Article 8 (4) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopts a single decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the French Government submitted to the Commission on 21 December 1993 the single

programming document referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Martinique; whereas this document contains the elements referred to in Article 8 (4) and (7) and in Article 10 of Regulation (EEC) No 2052/88;

Whereas the single programming document submitted by the Member State includes a description of the priorities selected and the applications for assistance from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, the Financial Instrument for Fisheries Guidance (FIFG), as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments, including the European Coal and Steel Community (ECSC) and the other actions for structural purposes;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document on the basis of the forecast loan packages shown in this Decision and in conformity with its statutory provisions;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds⁽⁵⁾, as amended by Regulation (EC) No 402/94⁽⁶⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is

(¹) OJ No L 374, 31. 12. 1988, p. 1.

(²) OJ No L 193, 31. 7. 1993, p. 20.

(³) OJ No L 185, 15. 7. 1988, p. 9.

(⁴) OJ No L 193, 31. 7. 1993, p. 5.

(⁵) OJ No L 170, 3. 7. 1990, p. 36.

(⁶) OJ No L 54, 25. 2. 1994, p. 9.

based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽¹⁾, as amended by Regulation (EEC) No 2083/93 ⁽²⁾, defines the measures for which the ERDF may provide financial support, referring specifically to the measures eligible pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽³⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁴⁾, defines the measures for which the ESF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4256/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the EAGGF Guidance Section ⁽⁵⁾, as amended by Regulation (EEC) No 2085/93 ⁽⁶⁾, defines the measures for which the EAGGF Guidance Section may provide financial support for the implementation of measures pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the Financial Instrument of Fisheries Guidance ⁽⁷⁾, defines the measures for which the FIFG may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund and the FIFG;

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 15.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 34.

⁽³⁾ OJ No L 374, 31. 12. 1988, p. 21.

⁽⁴⁾ OJ No L 193, 31. 7. 1993, p. 39.

⁽⁵⁾ OJ No L 374, 31. 12. 1988, p. 25.

⁽⁶⁾ OJ No L 193, 31. 7. 1993, p. 44.

⁽⁷⁾ OJ No L 193, 31. 7. 1993, p. 1.

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁸⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 610/90 ⁽⁹⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas all the other conditions laid down for the grant of aid from the ERDF, the ESF, the EAGGF, Guidance Section, and the FIFG, have been complied with;

Whereas it has been agreed in the partnership to reserve an amount of the appropriations allocated to technical assistance for actions to be undertaken at the initiative of the Commission; whereas, therefore, this amount should be deducted from the total amount of assistance allocated under this single programming document,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Martinique concerned by Objective 1 in France, covering the period 1 January 1994 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential information:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in Martinique;

the main priorities are:

1. Tourism;
2. Industry;
3. Commerce and craftwork;
4. Land-use planning;
5. Opening-up of the region;
6. Environment;
7. Qualification and development of human resources;
8. Agriculture;
9. Fisheries and aquaculture;
10. Technical assistance;

⁽⁸⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ No L 70, 16. 3. 1990, p. 1.

- (b) the assistance from the Structural Funds and the FIFG as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the financial implementation provisions,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document.

Article 3

For the purpose of indexation, the annual breakdown of the global maximal allocation foreseen for the assistance from the Structural Funds and the FIFG is as follows:

<i>ECU million (1994 prices)</i>	
1994	45,36
1995	48,96
1996	52,44
1997	56,21
1998	61,03
1999	66,00
Total	330,00

Article 4

The assistance from the Structural Funds and the FIFG granted to the single programming document amounts to a maximum of ECU 329,84 million, after deduction of an amount of ECU 160 000 reserved for technical assistance on the initiative of the Commission.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures which the single programming document comprises, is set out in the financing plan annexed to this Decision ⁽¹⁾.

The national financial contribution as indicated in the financing plan may be met in part by Community loans from the European Investment Bank and other types of loans. In indicative terms, EIB loans could reach ECU 150 million for all Objective 1 regions in France.

⁽¹⁾ Annex not published in the Official Journal.

Article 5

1. The breakdown among the Structural Funds and the FIFG of the total Community assistance available is as follows:

— ERDF	ECU 166,34 million
— ESF	ECU 89,00 million
— EAGGF, Guidance Section	ECU 67,00 million
— FIFG	ECU 7,50 million.

2. The budgetary commitment for the first instalment is as follows:

— ERDF	ECU 10,271 million
— ESF	ECU 12,253 million
— EAGGF, Guidance Section	ECU 9,560 million
— FIFG	ECU 1,040 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the FIFG and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of reprogramming decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measure 1, 'Aids to firms' in subprogramme 2 — 'Industry'. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December

1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Done at Brussels, 29 July 1994.
For the Commission

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 7, 30, 48, 52 and 59 of the EC Treaty and the Community directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 29 July 1994.

For the Commission

Bruce MILLAN

Member of the Commission

COMMISSION DECISION

of 29 July 1994

on the adoption of the single programming document for Community structural assistance in the region of Réunion concerned by Objective 1 in France

(Only the French text is authentic)

(94/634/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as amended by Regulation (EEC) No 2082/93⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions, the Committee referred to in Article 124 of the Treaty, the Management Committee on Agricultural Structures and Rural Development and the Standing Management Committee on Fisheries Structures,

Whereas the programming procedure for structural assistance under Objective 1 is defined in Article 8 (4) to (7) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as amended by Regulation (EEC) No 2081/93⁽⁴⁾; whereas, however, the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional development plan referred to in Article 8 (4) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopts a single decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the French Government submitted to the Commission on 21 December 1993 the single programming document referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Réunion; whereas this document contains the elements referred to in Article 8 (4) and (7) and in Article 10 of Regulation (EEC) No 2052/88;

Whereas the single programming document submitted by the Member State includes a description of the priorities selected and the applications for assistance from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, the Financial Instrument for Fisheries Guidance (FIFG), as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments, including the European Coal and Steel Community (ECSC) and the other actions for structural purposes;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document on the basis of the forecast loan packages shown in this Decision and in conformity with its statutory provisions;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds⁽⁵⁾, as amended by Regulation (EC) No 402/94⁽⁶⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in

(1) OJ No L 374, 31. 12. 1988, p. 1.

(2) OJ No L 193, 31. 7. 1993, p. 20.

(3) OJ No L 185, 15. 7. 1988, p. 9.

(4) OJ No L 193, 31. 7. 1993, p. 5.

(5) OJ No L 170, 3. 7. 1990, p. 36.

(6) OJ No L 54, 25. 2. 1994, p. 9.

which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽¹⁾, as amended by Regulation (EEC) No 2083/93 ⁽²⁾, defines the measures for which the ERDF may provide financial support, referring specifically to the measures eligible pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽³⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁴⁾, defines the measures for which the ESF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4256/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the EAGGF Guidance Section ⁽⁵⁾, as amended by Regulation (EEC) No 2085/93 ⁽⁶⁾, defines the measures for which the EAGGF Guidance Section may provide financial support for the implementation of measures pursuant to Objective 1;

Whereas Article 1 of Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the Financial Instrument of Fisheries Guidance ⁽⁷⁾, defines the measures for which the FIFG may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated

approach involving finance from more than one Fund and the FIFG;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁸⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 610/90 ⁽⁹⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas all the other conditions laid down for the grant of aid from the ERDF, the ESF, the EAGGF, Guidance Section, and the FIFG, have been complied with;

Whereas it has been agreed in the partnership to reserve an amount of the appropriations allocated to technical assistance for actions to be undertaken at the initiative of the Commission; whereas, therefore, this amount should be deducted from the total amount of assistance allocated under this single programming document,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Réunion concerned by Objective 1 in France, covering the period 1 January 1994 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential information:

(a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in Réunion;

the main priorities are:

1. Development of productive sectors and of the factors of competitiveness;
2. Opening-up of the region;
3. Environment and infrastructure supporting development;
4. Implementation of Objective 5a an development of the food sector;
5. Diversification and development of agricultural production;
6. Support for agricultural and rural development;
7. Development of fisheries and aquaculture;

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽²⁾ OJ No L 70, 16. 3. 1990, p. 1.

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 15.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 34.

⁽³⁾ OJ No L 374, 31. 12. 1988, p. 21.

⁽⁴⁾ OJ No L 193, 31. 7. 1993, p. 39.

⁽⁵⁾ OJ No L 374, 31. 12. 1988, p. 25.

⁽⁶⁾ OJ No L 193, 31. 7. 1993, p. 44.

⁽⁷⁾ OJ No L 193, 31. 7. 1993, p. 1.

8. Qualification and development of human resources;
9. Technical assistance and regional cooperation;
- (b) the assistance from the Structural Funds and the FIGF as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the financial implementation provisions,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document.

Article 3

For the purpose of indexation, the annual breakdown of the global maximal allocation foreseen for the assistance from the Structural Funds and the FIGF is as follows:

<i>ECU million (1994 prices)</i>	
1994	90,71
1995	97,95
1996	104,88
1997	112,41
1998	122,05
1999	132,00
Total	660,00

Article 4

The assistance from the Structural Funds and the FIGF granted to the single programming document amounts to a maximum of ECU 659,70 million, after deduction of an amount of ECU 300 000 reserved for technical assistance on the initiative of the Commission.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures which the single programming document comprises, is set out in the financing plan annexed to this Decision (1).

The national financial contribution as indicated in the financing plan may be met in part by Community loans from the European Investment Bank and other types of loans. In indicative terms, EIB loans could reach ECU 150 million for all Objective 1 regions in France.

(1) Annex not published in the Official Journal.

Article 5

1. The breakdown among the Structural Funds and the FIGF of the total Community assistance available is as follows:

— ERDF	ECU 320,20 million
— ESF	ECU 183,00 million
— EAGGF, Guidance Section	ECU 149,00 million
— FIGF	ECU 7,50 million.

2. The budgetary commitment for the first instalment is as follows:

— ERDF	ECU 35,35 million
— ESF	ECU 25,14 million
— EAGGF, Guidance Section	ECU 20,51 million
— FIGF	ECU 1,01 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the FIGF and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of reprogramming decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures 1.2 and 5 of Subprogramme 1, 'Development of productive sectors and of the factors of competitiveness'; In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December

1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 7, 30, 48, 52 and 59 of the EC Treaty and the Community directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is addressed to French Republic.

Done at Brussels, 29 July 1994.

For the Commission

Bruce MILLAN

Member of the Commission

European Communities — Council

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