

## COMMISSION REGULATION (EEC) No 2159/93

of 28 July 1993

## amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, and in particular Article 13 thereof,

Whereas Commission Regulation (EEC) No 3846/87<sup>(2)</sup>, as last amended by Regulation (EEC) No 1957/93<sup>(3)</sup>, refers to glucose syrup and maltodextrine syrup;

Whereas, in order to ensure uniform application throughout the Member States, provision should be made to specify that the refund is valid for a minimum dry matter content of 78 %, with a proportional adjustment in the event of a lower content; whereas that dry matter content should be determined according to a suitable analysis method;

Whereas, as a result, Regulation (EEC) No 3846/87 should be adapted;

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*

Sector 3 of the Annex to Regulation (EEC) No 3846/87 is hereby amended as follows:

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

Done at Brussels, 28 July 1993.

1. CN codes 1702 30 59, 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 shall read as follows:

1702 30 59 — — — — Other<sup>(\*)</sup>

1702 30 99 — — — — Other<sup>(\*)</sup>

1702 40 90 — — Other<sup>(\*)</sup>

1702 90 50 — — Maltodextrine and maltodextrine syrup

— Maltodextrine, in the form of white crystalline powder, whether or not agglomerated

— Other<sup>(\*)</sup>

2106 90 55 — — — — Glucose syrup and maltodextrine syrup<sup>(\*)</sup>;

2. The following footnote<sup>(\*)</sup> is added to the end of Sector 3:

<sup>(\*)</sup> The export refund is payable for products having a dry matter content of less than 78 %. The export refund provided for products having a dry matter content of less than 78 % shall be adjusted by using the following formula:

$$\frac{\text{actual dry matter content}}{78} \times \text{export refund}$$

The dry matter content is determined by method 2 laid down in Annex II to Commission Directive 79/796/EEC (OJ No L 239, 22. 9. 1979, p. 24), or by any other suitable analysis method offering at least the same guarantees.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 366, 24. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 142, 12. 6. 1993, p. 55.