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I

(Information)

COUNCIL

Establishing by the Council of common positions under the cooperation procedure provided for by Article 149 (2) of the Treaty establishing the European Economic Community

(93/C 314/01)

The Council has established common positions on the following proposal:

— Proposal for a Council Directive on deposit-guarantee schemes

8915/1/93 + ADD 1

The text of this common position may be obtained from the General Secretariat of the Council, 170, rue de la Loi, B-1048 Brussels, Office 12/53; telefax 234 81 74.

The reference number of this Official Journal and the serial number of the proposal concerned should be mentioned in any request.

COMMISSION

Ecu ⁽¹⁾

19 November 1993

(93/C 314/02)

Currency amount for one unit:

Belgian and Luxembourg franc	40,8231	United States dollar	1,12252
Danish krone	7,62245	Canadian dollar	1,48509
German mark	1,92287	Japanese yen	121,176
Greek drachma	275,061	Swiss franc	1,68883
Spanish peseta	154,728	Norwegian krone	8,34254
French franc	6,66662	Swedish krona	9,34495
Irish pound	0,801168	Finnish markka	6,51755
Italian lira	1882,32	Austrian schilling	13,5241
Dutch guilder	2,15669	Icelandic krona	80,8212
Portuguese escudo	195,037	Australian dollar	1,69949
Pound sterling	0,760512	New Zealand dollar	2,04951

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day. Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ecu;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic telex answering service (No 21791) and an automatic fax answering service (No 296 10 97) providing daily data concerning calculation of the conversion rates applicable for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ No L 189, 4. 7. 1989, p. 1).

Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).

Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).

Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

Communication of Decisions under sundry tendering procedures in agriculture (cereals)

(93/C 314/03)

(See notice in Official Journal of the European Communities No L 360 of 21 December 1982, page 43)

Standing invitation to tender	Weekly invitation to tender	
	Date of Commission Decision	Maximum refund
Commission Regulation (EEC) No 1279/93 of 27 May 1993 opening an invitation to tender for the refund for the export of barley to all third countries (OJ No L 131, 28. 5. 1993, p. 19)	18. 11. 1993	ECU 67,99/tonne
Commission Regulation (EEC) No 1278/93 of 27 May 1993 opening an invitation to tender for the refund for the export of common wheat to all third countries (OJ No L 131, 28. 5. 1993, p. 16)	18. 11. 1993	ECU 50,49/tonne
Commission Regulation (EEC) No 1286/93 of 27 May 1993 opening an invitation to tender for the refund for the export of rye to all third countries (OJ No L 131, 28. 5. 1993, p. 48)	—	No tenders received
Commission Regulation (EEC) No 2147/93 of 30 July 1993 on a special intervention measure for barley in Spain (OJ No L 191, 31. 7. 1993, p. 109)	—	No tenders received
Commission Regulation (EEC) No 2774/93 of 8 October 1993 opening an invitation to tender for the reduction in the levy on maize imported from third countries (OJ No L 252, 9. 10. 1993, p. 3)	—	No tenders received

**Commission communication pursuant to Article 9 (9) of Council Regulation (EEC) No 3420/83
of 14 November 1983**

(93/C 314/04)

By virtue of Article 9 (1) of Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level ⁽¹⁾, the Commission adopted the following changes to the import arrangements applied in Spain with regard to the People's Republic of China on 11 November 1993.

Exceptional opening of import facilities for the following products:

⁽¹⁾ OJ No L 346, 8. 12. 1983, p. 6.

PEOPLE'S REPUBLIC OF CHINA

No	CN code	Description	Quantity	Value (ECU 1 000)
1	2	3	4	5
1	4203 29 10	Protective gloves for industry		134
2	6401 6402	Footwear of rubber or artificial plastic material		200
3	6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather		200
4	6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials		267
5	6911	Tableware, kitchenware, other household articles and toilet articles, of porcelain or china		134
6	7013 21 11 7013 21 19 ex 7013 21 91 ex 7013 21 99 7013 29 51 7013 29 59 7013 31 10 ex 7013 31 90 7013 39 91 7013 91 10 ex 7013 91 90 7013 99 10	Glassware of a kind used for table, kitchen, toilet, etc. or similar purposes		100
7	ex 8544	Wire, cable ...		536
8	ex 9025 19 91 ex 9025 80 91	Thermometers		358
9	ex 9029 20 31	Speed indicators for vehicles		300
10	9401 30 10 9401 30 90 9401 40 00 9401 50 00 9401 61 00 9401 69 00 9401 71 00 9401 79 00 9401 80 00 ex 9401 90 90	Chairs and other seats		334

PEOPLE'S REPUBLIC OF CHINA

Textile products

Category	Units	Quantity
117	Tonnes	30
118	Tonnes	25
130 A	Tonnes	}
ex 130 B ⁽¹⁾	Tonnes	
136	Tonnes	10
156	Tonnes	15
159	Tonnes	50
ex 161 ⁽²⁾	Tonnes	50

⁽¹⁾ OJ No L 292, 23. 10. 1991, pp. 111 and 115.

⁽²⁾ OJ No L 292, 23. 10. 1991, pp. 112 and 116.

Commission communication pursuant to Article 9 (1) of Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries, extended for 1993 by Regulation (EEC) No 3917/92

(93/C 314/05)

Pursuant to Article 9 (1) of Council Regulation (EEC) No 3832/90 ⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92 ⁽²⁾, the Commission gives notice that the following fixed duty-free amounts have been exhausted:

Order No	Category	Origin	Fixed duty-free amount	Date of exhaustion
10.1053	Prepared unrecorded media for sound recording or similar recording of other phenomena other than products of Chapter 37	Hong Kong	6 615 000	8. 10. 1993

Imports beyond these amounts are liable to payment of the normal duties of the Common Customs Tariff.

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Commission communication pursuant to Article 12 (3) of Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries, extended for 1993 by Regulation (EEC) No 3917/92

(93/C 314/06)

Pursuant to Article 12 (3) of Council Regulation (EEC) No 3831/90 ⁽¹⁾, extended for 1993 by Council Regulation (EEC) No 3917/91 ⁽²⁾, the Commission gives notice that the following tariff ceilings have been reached:

Order No	Description	Origin	Amount of ceiling (ECU)
10.0640	Builders' joinery and carpentry of wood, including cellular wood panels	Singapore	10 766 000
10.0752	Drawn glass or blown glass	China	1 491 000
10.1055	Television receivers (including video monitors and video projectors) whether or not combined in the same housing, with radiobroadcast receivers or sound or video recording or reproducing apparatus — Colour — — Television projection equipment — — Apparatus incorporating a videophonic recorder or reproducer — — Television receivers with integral tube	Indonesia	4 631 000
10.1110	Thermionic, cold cathode or photocathode valves and tubes — Parts Diodes, transistors, and similar semiconductor devices, light emitting diodes Electronic integrated circuits and microassemblies	Malaysia	5 789 000

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COURT OF JUSTICE

COURT OF FIRST INSTANCE

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 26 October 1993

in Case T-59/92: Renato Caronna v. Commission of the
European Communities ⁽¹⁾

(Official — Action for damages — Pre-litigation
procedure — Duty to assist — Defamation)

(93/C 314/07)

(Language of the case: French)

(Provisional translation; the definitive translation will be
published in the European Court Reports)

In Case T-59/92: Renato Caronna, an official of the Commission of the European Communities, residing in Brussels, represented by Jean-Nöel Louis of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Fiduciaire Myson Sàrl, 1 rue Glesener, supported by the Union Syndicale-Bruxelles, whose registered office in Brussels, represented by Véronique Leclercq, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Fiduciaire Myson Sàrl, 1 rue Glesener v. Commission of the European Communities (Agent: Gianluigi Valsesia, assisted by Benoît Cambier, of the Brussels Bar) — application for an order that the Commission compensate the applicant for the non-material damage which he claims to have suffered by the publication of an article in the magazine *Canard Enchaîné* and the fact that the Commission was in breach of its duty to have regard for the welfare of its official by failing to take the measures necessary to vindicate his honour which had been called in question by the press article — the Court of First Instance (Fourth Chamber), composed of C. W. Bellamy, President of the Chamber, H. Kirschner and A. Saggio, Judges; H. Jung, Registrar, gave a judgment on 26 October 1993, the operative part of which is as follows:

1. *the Commission is in breach of its duty to give assistance as provided for in Article 24 of the Staff Regulations in so far as it failed to take in good time measures such as to ensure that the honour and dignity of its official, Renato Caronna, were publicly vindicated;*

2. *the Commission is ordered to pay to the applicant the sum of Bfrs 50 000 by way of damages;*
3. *the remainder of the application is dismissed;*
4. *the Commission is ordered to bear its own costs and three-quarters of the costs of the applicant and of the intervener. The applicant and intervener are ordered to bear one-quarter of their own costs.*

Action brought on 12 October 1993 by Hervé Tromeur
against the Council of the European Communities and
the Commission of the European Communities

(Case T-537/93)

(93/C 314/08)

An action against the Council of the European Communities and the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 12 October 1993 by Hervé Tromeur, residing at Pont de Buis (France), represented by Claude Larzul and Frédéric Buffet, of the Rennes Bar, with an address for service in Luxembourg at the Chambers of Aloyse May, 31 Grand-Rue.

The applicant claims that the Court should:

- uphold his claim for compensation ⁽¹⁾ and order the Council of the European Communities as well as the Commission of the European Communities to pay him the principal sum of FF 1 299 643,76 together with interest at the rate of 8 % from the date of the judgment declaring the defendants to be under an obligation to make good the damage,
- order the European Communities to pay the entire costs.

Pleas in law and main arguments adduced in support:

The applicant's pleas in law and main arguments are similar to those put forward in Cases C-104/89 and C-37/90 (Mulder and Heinemann).

⁽¹⁾ OJ No C 258, 7. 10. 1992.

⁽¹⁾ In connection with milk production quotas.

II

(Preparatory Acts)

COMMISSION

Amended proposal for a Council Regulation (EC) laying down special measures to encourage the processing of certain citrus fruits ⁽¹⁾

*(93/C 314/09)**COM(93) 522 final**(Submitted by the Commission pursuant to Article 149 (3) of the EEC-Treaty on 26 October 1993)*

1. The following is added to the sixth recital:

'Whereas a transitional period, during which aid for the processing of satsumas is also paid to individual citrus fruit producers, is necessary to enable the sector to adjust to these provisions;'

2. In Article 5:

1. The existing text becomes paragraph 1.

2. The following paragraph is added:

'(2) For the 1993/94 marketing year, however, the individual citrus fruit producers referred to in Article 19c of Regulation (EEC) No 1035/72 may receive aid equal to two-thirds of that paid to producers' organizations provided that all other relevant provisions are complied with.'

3. Article 6 is replaced by the following:

'Article 6

The scheme referred to in Article 5 shall be based on contracts concluded between citrus fruit producers or producers' organizations and processors on the terms referred to in Article 2.'

4. The following new Article is inserted after Article 11:

'Article 12

Before the end of the 1995/96 marketing year, the Commission will, if necessary, send a report to the Council on the application of this scheme with, where appropriate, suitable proposals.'

5. The existing Articles 12 and 13 become Articles 13 and 14 respectively.

⁽¹⁾ OJ No C 259, 23. 9. 1993, p. 8.

Proposal for a Council Regulation (EC) amending Regulation (EEC) No 3917/92 relative to the generalized scheme of preferences applicable in 1993

(93/C 314/10)

COM(93) 511 final

(Submitted by the Commission on 22 October 1993)

THE COUNCIL OF THE EUROPEAN COMMUNITY,

Having regard to the Treaty establishing the European Community, and in particular Article 113 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Regulation (EEC) No 3917/92 of 21 December 1992 extending into 1993 the application of Regulations (EEC) No 3831/90, (EEC) No 3832/90, (EEC) No 3833/90, (EEC) No 3834/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences for 1991 in respect of certain products originating in developing countries and adding to the list of beneficiaries of such preferences⁽¹⁾ applies until 31 December 1993;

Whereas the Commission shall propose before the end of the year, following the deadline of 15 December 1993, an annual scheme for 1994; this proposal shall contain quantities calculated for a whole year;

Whereas the provisions of the Regulation (EEC) No 3917/92 should be able to continue to apply until the entry into force of the annual scheme for 1994 on 1 April 1994,

HAS ADOPTED THIS REGULATION:

Article 1

In the first paragraph of Article 1 of Regulation (EEC) No 3917/92 'from 1 January to 31 December 1993' shall be replaced by 'from 1 January 1993 to 31 March 1994'.

⁽¹⁾ OJ No L 396, 31. 12. 1992, p. 1.

The following is added to the second paragraph of Article 1 of Regulation (EEC) No 3917/92: 'The references to the dates 29 February 1992, mentioned in Article 5 of Regulation (EEC) No 3831/90⁽²⁾, Article 7 of Regulation (EEC) No 3832/90⁽³⁾ and Article 5 of Regulation (EEC) No 3833/90⁽⁴⁾ shall be taken to refer to the date of 31 May 1994'.

Article 2

Following the request of importers, preferential benefit can be granted as of 1 January 1994 for products which the fixed amount of preferential duty was or will be exhausted or for which the collection of customs duties were or will be re-established by a Commission Regulation, subject to the payment of a deposit, the refunding of which will be effected after 1 April 1994, provided that the applicable preferential amounts foreseen in the 1994 annual Regulation allow it, in accordance with the provisions of Articles 190, 191 and 199 of the Regulation (EEC) No 2913/92 of the Council instituting the Community customs code⁽⁵⁾.

Article 3

The amendments to CN codes indicated in the Annex to this Regulation are applicable from 1 January 1994.

Article 4

This Regulation shall enter into force on the third day following the day of 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.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽³⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽⁴⁾ OJ No L 370, 31. 12. 1990, p. 87.

⁽⁵⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

A. Amendments to Annex I to Regulation (EEC) No 3831/90

In column 2, against order No 10.0410:

— *for*: '3103 10 00',
 read: '3103 10'.

In column 2, against order No 10.1040:

— *for*: '8471 92 90',
 read: '8471 92 20
 8471 92 40
 8471 92 80';

— *delete*: 8471 99 30;

— *for*: '8471 99 90',
 read: '8471 99 80'.

In column 2, against order No 10.1217:

— *for*: '9401 90 90',
 read: '9401 90 30
 9401 90 80'.

B. Amendments to the Annexes to Regulation (EEC) No 3832/90

In Annex I, column 3, against order No 40.0180:

— *for*: '6207 91 00',
 read: '6207 91';

— *for*: '6208 91 00',
 read: '6208 91 11
 6208 91 19'.

In Annex I, column 3, against order No 40.0240:

— *for*: '6107 91 00',
 read: '6107 91';

— *for*: '6108 91 00',
 read: '6108 91'.

In Annex II, column 3, against order No 42.1360:

— *for*: '5007 20 10',
 read: '5007 20 11
 5007 20 19'.

C. Amendments to the Annexes to Regulation (EEC) No 3833/90

In Annex II, column 2, against order No 52.0700:

— *for*: '0604 91 10
 0604 91 90',
 read: '0604 91'.

In Annex II, column 2, against order No 52.0820:

— *for*: 'ex 0710 80 90'
 read: 'ex 0710 80 95'.

In Annex II, column 2, against order No 52.2430:

— *for*: 'ex 1604 20 50
 ex 1604 20 90',
 read: 'ex 1604 20 50
 1604 20 05
 ex 1604 20 90'.

In Annex II, column 2, against order No 52.2460:

— *for*: '1605 10 00
ex 1605 20 00
1605 30 00
1605 40 00
ex 1605 90 10',

read: '1605 10 00
ex 1605 20 10
ex 1605 20 91
ex 1605 20 99
1605 30 00
1605 40 00
ex 1605 90 11
ex 1605 90 30
ex 1605 90 90'.

In Annex II, column 2, against order No 52.2810:

— *for*: 'ex 2005 90 90
ex 2005 90 90',

read: 'ex 2005 90 80
ex 2005 90 80'.

In Annex II, column 2, against order No 52.2810:

— *for*: 'ex 2009 80 80
ex 2009 80 80',

read: '2009 80 82
ex 2009 80 81'.

In Annex II, column 2, against order No 52.3440:

— *for*: '2009 80 95
ex 2009 80 99
ex 2009 80 99',

read: '2009 80 95
2009 80 96
ex 2009 80 98'.

In Annex II, column 2, against order No 52.3650:

— *for*: '2104 10 00',

read: '2104 10'.

In Annex II, column 2, against order No 52.3710:

— *for*: 'ex 2208 90 51',

read: 'ex 2208 90 48'.

In Annex II, column 2, against order No 52.3720:

— *for*: 'ex 2208 90 53',

read: 'ex 2208 90 58'.

In Annex II, column 2, against order No 52.3810:

— *for*: '2403 10 00'

read: '2403 10'.
